



NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, December 9, 2015, 1:30 PM

PLACE: Board of Supervisors Chambers
651 Pine Street, Martinez, CA 94553

NOTICE IS HEREBY GIVEN that the Commission will hear and consider oral or written testimony presented by any affected agency or any interested person who wishes to appear. Proponents and opponents, or their representatives, are expected to attend the hearings. From time to time, the Chair may announce time limits and direct the focus of public comment for any given proposal.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by LAFCO to a majority of the members of the Commission less than 72 hours prior to that meeting will be available for public inspection in the office at 651 Pine Street, Six Floor, Martinez, CA, during normal business hours as well as at the LAFCO meeting.

All matters listed under CONSENT ITEMS are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

For agenda items not requiring a formal public hearing, the Chair will ask for public comments. For formal public hearings the Chair will announce the opening and closing of the public hearing.

If you wish to speak, please complete a speaker's card and approach the podium; speak clearly into the microphone, start by stating your name and address for the record.

Campaign Contribution Disclosure

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

Notice of Intent to Waive Protest Proceedings

In the case of a change of organization consisting of an annexation or detachment, or a reorganization consisting solely of annexations or detachments, or both, or the formation of a county service area, it is the intent of the Commission to waive subsequent protest and election proceedings provided that appropriate mailed notice has been given to landowners and registered voters within the affected territory pursuant to Gov. Code sections 56157 and 56663, and no written opposition from affected landowner or voters to the proposal is received before the conclusion of the commission proceedings on the proposal.

American Disabilities Act Compliance

LAFCO will provide reasonable accommodations for persons with disabilities planning to attend meetings who contact the LAFCO office at least 24 hours before the meeting, at 925-335-1094. An assistive listening device is available upon advance request.

As a courtesy, please silence your cell phones during the meeting.

December 9, 2015 CONTRA COSTA LAFCO AGENDA

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. Public Comment Period (please observe a three-minute time limit):
Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.
5. Approval of Minutes for the November 18, 2015 regular LAFCO meeting

SPHERE OF INFLUENCE/BOUNDARY CHANGES

6. *LAFCO 15-02 – West County Wastewater District (WCWD) Annexation 314 (Park Avenue)* - consider proposed annexation of 21± acres (10 parcels) located on Park Avenue and Tisbury Lane in unincorporated Richmond. Also consider related actions under the California Environmental Quality Act. *Public Hearing – Request to Continue*

BUSINESS ITEMS

7. *Commissioner Terms* - receive report regarding Commissioner terms of office for 2016 and provide direction.
8. *2015 Legislative Wrap-up* – receive report.

CORRESPONDENCE

9. Correspondence from Contra Costa County Employees' Retirement Association (CCCERA)

INFORMATIONAL ITEMS

10. Commissioner Comments and Announcements
11. Staff Announcements
 - CALAFCO Updates
 - Pending Projects
 - Newspaper Articles

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: Executive Officer

ADJOURNMENT

Next regular LAFCO meeting – January 13, 2016 at 1:30 p.m.

LAFCO STAFF REPORTS AVAILABLE AT http://www.contracostalafco.org/meeting_archive.htm

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MINUTES OF MEETING

November 18, 2015

Board of Supervisors Chambers
Martinez, CA

December 9, 2015
Agenda Item 5

1. Chair Rob Schroder called the meeting to order at 1:31 p.m.
2. The Pledge of Allegiance was recited.
3. Roll was called. A quorum was present of the following Commissioners:

City Members Rob Schroder and Don Tatzin.

County Members Mary Piepho and Alternate Candace Andersen.

Special District Members Mike McGill and Igor Skaredoff and Alternate Stanley Caldwell.

Public Members Don Blubaugh and Alternate Sharon Burke.

Present were Executive Officer Lou Ann Texeira, Legal Counsel Sharon Anderson, Planner Nat Taylor, and Clerk Kate Sibley.

4. Approval of the Agenda

Upon motion of Piepho, second by Blubaugh, Commissioners, by a vote of 7-0, adopted the agenda.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

5. Public Comments

There were no public comments.

6. Approval of October 14, 2015 Meeting Minutes

Upon motion of Tatzin, second by Andersen, the minutes were approved by a vote of 7-0.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

7. Informational Presentation – Central Contra Costa Sanitary District (CCCSD)

Chair Schroder introduced Melody LaBella, Associate Engineer with CCCSD, who has been with the District for over 15 years, where her work has focused on pollution prevention, recycled water and regulatory planning. She has helped grow the District's Recycled Water Program by providing technical, marketing and outreach support, developing new programs, and collaborating with water purveyors and recycled water agencies to develop new projects and pursue grant funding. Melody holds a B.S. in Environmental Engineering from Penn State University and is a Registered Professional Civil Engineer in California.

Ms. LaBella provided a detailed and informative overview of CCCSD's recycled water program, with a view into the future and what the District is planning in response to increasing water needs and shortages. The District already has an extensive network (13 miles in Zone 1) of purple pipelines that distribute recycled water to facilities in Martinez, Concord, Pleasant Hill, and Walnut Creek—including Contra Costa Country Club, Buchanan Fields Golf Course, Diablo Valley College, Mt. Diablo Unified School District, Pleasant Hill Park and Recreation District, County Animal Services, and others; 50 customers in all.

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Additionally, there is the large Concord Landscape Project, the hydrant truck filling program, the residential fill station for customers—currently, 2,000 residents participate in this—and, one of the District’s newest ventures, the CoCoSan Sustainable Farm in partnership with an organization called Aglantis.

The District is discussing with Contra Costa Water District the possibility of providing recycled water to Shell Refinery for its cooling towers; satellite treatment sites; wholesaling opportunities; and a Regional Reliability Partnership that would allow the District to supply recycled water to a Bay Area-wide group of water suppliers.

Commissioners commented on the value of partnerships in addressing water issues, and complimented Ms. LaBella and the District on the leadership they are showing in this area.

8. Reclamation Services MSR/SOI Updates (2nd Round)

The Executive Officer noted that at the October 14 meeting the Commissioners approved the Public Review Draft of the Reclamation Services Municipal Service Review, which covers 14 special districts (13 reclamation districts [RDs] and Bethel Island Municipal Improvement District). The 2nd round MSR focuses on significant changes since the last MSR in 2009 relating to physical improvements, fiscal viability, potential resource sharing and funding opportunities.

The MSR consultants report that all districts now meet 100-year flood standards, and most contract for services and have made improvements since the last MSR. The MSR report encourages collaboration on funding, resource sharing and other opportunities, such as developing mutual aid agreements to assist each other in emergency situations; and pursuing a shared website to enhance accountability and transparency.

Staff noted that there are two steps remaining in finalizing this MSR: 1) approve the final report and adopt MSR determinations; and 2) approve Spheres of Influence (SOI) for each of the 14 districts (13 RDs and Bethel Island Municipal Improvement District). With the exception of two districts, RD 800 and RD 2121, the SOI recommendations from both the MSR consultants and LAFCO staff are to retain the existing SOIs.

While the consultants recommend expanding the SOI of RD 800 to include the Pantages Bay project, LAFCO staff feels that it is premature to do this, as the project is around two years away from compliance with conditions placed on it by the County. At the appropriate time, the applicant can apply to LAFCO to expand the SOIs and annex to both RD 800 and DBCSD. Commissioner Piepho expressed interest in expanding the District’s SOI.

RD 2121 (Bixler Tract) provides maintenance services to non-project levees and internal drainage facilities. Land uses are primarily agricultural. The District is not functioning as a governmental agency and has not recorded financial transactions for the past six years at the State Controller’s Office. The District is essentially inactive, does not function as a public agency, and is not fulfilling its corporate powers. Both the MSR consultants and LAFCO staff recommend a zero SOI for RD 2121, which indicates that the agency should be “reorganized” (e.g., dissolved, consolidated, etc.) at some time in the future. The 2009 MSR made the same recommendation. LAFCO staff has discussed a zero SOI with Tom Bloomfield of the family that owns RD 2121, and he seems unconcerned about this SOI change.

LAFCO staff added that the Los Angeles Metropolitan Water District is looking at purchasing four islands in the Delta area, including RDs 2025 (Holland Tract) and 2026 (Webb Tract) in Contra Costa County.

In response to Commissioner Piepho, staff added that no RD commented on the proposed SOI recommendations. Commissioner Skaredoff added that he met with the Bloomfields, and that they are aware of the proposed LAFCO action, and expressed no concern or opposition.

Chair Schroder opened the public hearing; with no one commenting, the hearing was closed.

Upon motion of Andersen, second by Tatzin, Commissioners unanimously, by a 7-0 vote, determined that the MSR project is Categorical Exempt pursuant to §15306, Class 6 of the CEQA Guidelines; accepted the Final MSR report; adopted the MSR determinations; and updated the SOIs as recommended by staff for BIMID and RDs 799, 800, 830, 2024, 2025, 2026, 2059, 2065, 2090, 2117, 2121, 2122, and 2137.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

9. Agricultural & Open Space Preservation Policy (AOSPP) Update

Commissioners Burke and Tatzin provided an update on the Policies & Procedure Committee's work on the AOSPP. Presentations have been made to various groups, which have indicated interest in being kept informed. Cities that are most likely to be affected by questions of development in agricultural and open space have been added to the notification list, along with the stakeholders initially identified. The Committee noted that the focused fact finding is now complete and the Committee needs direction from the Commission.

Commissioner Blubaugh commented that there is enough land inside the Urban Limit Line (ULL) to handle growth and housing until 2040. Commissioner Piepho remarked that the ULL is due for review in 2016, and that perhaps this will be the time to look at a LAFCO AOSPP, once the review is completed. In response to Commissioner questions, John Kopchik, Director of the County Department of Conservation and Development (DCD), confirmed that the ULL review will begin in 2016, and it is unknown how long the review will take.

Commissioners debated the timing of developing the LAFCO AOSPP in consideration of other activities (i.e., ULL review, CCTA growth management and tax measure, etc.). Contra Costa LAFCO has a policy stating that it will consider but not be bound by the ULL. Commissioner Tatzin pointed out that the ULL has had a great impact on annexations, and that development has not occurred outside the ULL since it was established. Some Commissioners noted that there is a housing crisis, and they don't wish to exacerbate that problem with a restrictive policy. Other Commissioners noted that there is adequate space inside the ULL to accommodate all the housing planned for the County for another 25 years.

Commissioners Tatzin and Skaredoff noted that LAFCO is bound by State laws and has an obligation to protect agricultural and open space lands, and that currently there are no real guidelines for applicants regarding preservation of agriculture and open space lands. There are various options, in addition to or in place of mitigation, that can be included in a local policy. For example, definitions of open space and agricultural lands, right to farm guidelines, and buffer zone establishment could be included in a local LAFCO policy.

Commissioner Skaredoff stated that it would be helpful to discuss how to apply a policy, with procedures to follow. He suggested a structure that would prioritize three policy principles: 1) avoid impacting agricultural and open space land; 2) if that is unavoidable, minimize the impact; and 3) as a last resort, mitigate the impact. He reminded Commissioners that cities have control of how land within their boundaries and SOIs is used. The only time LAFCO has any impact on proposed land use is when an application comes before the Commission (i.e., annexation).

Commissioner McGill pointed out that LAFCO is yet another layer of government, and it would be useful for applicants to have an indication of what is important to LAFCO before they initiate an application. He expressed appreciation for the work of Commissioners Burke and Tatzin.

Chair Schroder took public comments.

Joel Devalcourt, representing Greenbelt Alliance, stated that they have been developing materials for a report that shows their four-year "at risk" work. The last was done in 2012; their next one will be out in 2016, and will cover the entire region. In Contra Costa County, they've worked on four serious challenges to the ULL (two in Brentwood that failed by a slim vote of the people, one in San Ramon that was defeated by a landslide, and just last year parts of the Brentwood General Plan update that were strenuously opposed and ultimately pulled from the GP). Mr. Devalcourt commented on the continued risks. The ULL, while a commendable resource, does not provide permanent protection, and that mitigation is needed for permanent protection.

Mr. Devalcourt commented on the extensive infill housing opportunity. He urges LAFCO to continue to work toward a policy that will provide choices and clear direction.

Kathryn Lyddan, of Brentwood Agricultural Land Trust (BALT), stated that since she began with BALT in 2003 there have been several attempts to move the ULL out into agricultural lands. Protecting agricultural land requires two separate tools: 1) strong local land use rules, and 2) strategic protection of agricultural land. We are looking for that balance. There may be significant State funds (\$40 million), through cap and trade revenues, for conservation of agricultural lands, but they will require a 25% local match. Currently there are no local resources available to permanently protect land and back up local land use efforts. While the ULL has been an effective tool, it is subject to challenge.

Chair Schroder commented on the relationship of LAFCO and the land use agencies, and that any LAFCO policy should be appropriate.

Commissioner Tatzin suggested that the Policies & Procedures Committee be asked to first draft a policy and guidelines that focus on the application requirements, rather than on specific mitigation measures. Subsequently, if the Commission wants specific mitigation measures, the Committee will work on those as a second step.

Commissioner Andersen felt it would be helpful to have the planning agency weigh in on this as well. Commissioner Tatzin responded that most applications would come from public agencies, not private interests, so the land use agencies may already be involved.

Commissioner McGill reminded Commissioners that they often need to address sewer and water requests for annexation within city boundaries. It is also important to not lose sight of definitions of ag land, open space land, range land, empty land, etc.

Commissioner Piepho added that the ULL is not a concrete line, but it is meant to change with the times and needs of the region, and with voters' preferences. To date, the voters have chosen not to change it. It is there to reflect the political and public process. There is a market for conservation easement, and the challenge is how to fund that. She requested that the draft policy should also include the school siting component (schools building on agricultural land); this is a challenge the Board of Supervisors has worked on for years with the State Legislature.

Commissioner Skaredoff commented on the economic value of agricultural land and open space, and asked that open space be part of that draft policy as well.

Commissioner Blubaugh requested that the Greenbelt Alliance maps be provided. Mr. Devalcourt responded that he will send those following further refinements.

10. Broadband Policy

The Executive Officer provided background on this topic, referencing a presentation made earlier this year on broadband services by Linda Best with the *East Bay Broadband Consortium* (EBBC) and Sunne Wright McPeak with *California Emerging Technology Fund* (CETF). At that time, Commissioners indicated an interest in continuing the conversation regarding this topic. While LAFCO has no specific authority over broadband services, it recognizes that communities are increasingly reliant on these services, and that there is disparity in infrastructure and accessibility. Advantages to equalizing and improving broadband services are numerous, as access can impact education, health, safety, the local economy and jobs, and building sustainable communities.

The Policies & Procedures Committee discussed possible ways in which LAFCO can address this issue and developed five actions that LAFCO could take to supplement the work of organizations such as the EBBC and the CETF:

- ❖ Adopt a resolution and/or policy supporting the efforts of organizations such as EBBC and CETF
- ❖ Adopt a resolution and/or policy encouraging the County and cities to adopt General Plan policies and standards that encourage broadband services
- ❖ Include broadband services among those services to be reviewed in LAFCO Municipal Service Reviews (i.e., cities and community service districts)
- ❖ Participate in a countywide staff level broadband working group that collaborates on these issues

- ❖ Support efforts to reach out to existing service providers and encourage service and improvements to unserved and underserved areas

Commissioner Tatzin noted that the first three items at a minimum should be undertaken by the Commission, and the fourth and fifth items should be supported. Commissioner McGill concurred, stating that broadband is key to growth and should be recognized as a utility that should be reviewed in MSRs. There is a growing awareness of the social disparity in access to this service, and LAFCO should be proactive in addressing this. Commissioner McGill seconded Commissioner Tatzin's motion.

Chair Schroder took public comment.

Linda Best, with EBBC, reported that great progress has been made since the last report. The County has donated 1,400 used computers that are being refurbished and distributed to underserved families. Additionally, one of EBBC's partners received a \$2 million grant from the T. J. Long Foundation to continue this work. Ms. Best stated that broadband deployment is crucial to economic growth and vital public services. She encouraged LAFCO to consider leading a staff-level working group, sharing best practices, looking at collaborative applications, general plans, etc.

Commissioner Andersen asked the Executive Officer if LAFCO staff could take on such a leadership role given its limited staff. Staff responded that they could certainly participate in a working group, but leading such a group would be challenging. Commissioner Andersen pointed out that, while she wishes to be supportive, this is not directly in line with the LAFCO mission and other activities. The Executive Officer suggested that there is already in place a group of planning directors that includes County and city planners. They meet quarterly and deal with general plan and other issues and policies. Martin Engelmann's office (CCTA) hosts these meetings, and this group might be a good one to take a leadership role.

Commissioner McGill suggested that perhaps there should be a second motion pertaining to the leadership role, and maybe the Commission could designate two Commissioners who could help provide the leadership that Linda Best is requesting. He would volunteer himself and perhaps another Commissioner could do the same.

Chair Schroder asked for a vote on the original motion (moved by Tatzin, second by McGill), that LAFCO: adopt a resolution and/or policy supporting the efforts of organizations such as EBBC and CETF; adopt a resolution and/or policy encouraging the County and cities to adopt General Plan policies and standards that encourage broadband services; include broadband services among those services to be reviewed in LAFCO Municipal Service Reviews (i.e., cities and community service districts); participate in a countywide staff level broadband working group that collaborates on these issues; and support efforts to reach out to existing service providers and encourage service and improvements to unserved and underserved areas. Commissioners approved the motion unanimously, by a 7-0 vote.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

Upon motion of McGill, second by Skaredoff, Commissioners unanimously, by a 7-0 vote, approved the policy of two Commissioners to explore LAFCO taking a leadership role in developing a countywide broadband working group.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none
ABSENT: Glover (M)
ABSTAIN: none

Commissioner Piepho nominated Commissioners McGill and Skaredoff to serve as the leaders for this effort; Commissioner Blubaugh seconded; the vote was unanimous by 7-0.

AYES: Andersen (A), Blubaugh, McGill, Piepho, Schroder, Skaredoff, Tatzin
NOES: none

ABSENT: Glover (M)
ABSTAIN: none

11. Correspondence from CCCERA

There were no comments on this item.

12. Commissioner Comments and Announcements

Commissioner McGill reported that he attended the CALAFCO Legislative Committee meeting on November 6 by phone conference call; this was a meeting of the 2015 committee, as the CALAFCO Board had not yet met to appoint the 2016 committee. This committee made legislative recommendations to the CALAFCO Board, which met on November 13 and accepted the recommendations per the Legislative Committee's priorities. Commissioner McGill was reappointed to the Legislative Committee, which will meet December 11 to outline the 2016 priorities.

Commissioner Piepho reported that the Board of Supervisors took action on November 17 to submit a proposal to San Joaquin LAFCO to detach the overlap areas of Byron-Bethany Irrigation District (BBID) from the Town of Discovery Bay. She held a meeting at her office the previous week with all parties, which Executive Officer Texeira attended. The intent of this detachment is to redirect the revenues collected by BBID to East Contra Costa Fire Protection District. BBID's portion of the 1% tax this year is approximately \$684,000, and the residents paying into that district receive no services in exchange.

Commissioner Burke reported that, at Supervisor Piepho's invitation, she also attended the meeting regarding BBID, and was emboldened by the discussion there to follow up on an issue that has concerned her for some time, CSA P-6 allocations. She would like for LAFCO to have some kind of policy where MSRs are used and acknowledgment is required from the districts being reviewed.

Commissioner Caldwell expressed his appreciation for the work done by the Policies & Procedures Committee on the Ag & Open Space Preservation Policy.

Chair Schroder announced that Commissioners would receive materials soon for the annual review of the Executive Officer. He also reminded Commissioners that new officers will be selected in January.

13. Staff Announcements

The Executive Officer had no further reports or announcements.

The meeting adjourned at 3:31 p.m.

Final Minutes Approved by the Commission December 9, 2015.

AYES:
NOES:
ABSTAIN:
ABSENT:

By _____
Executive Officer



Lou Ann Texeira
Executive Officer

MEMBERS

Donald A. Blubaugh <i>Public Member</i>	Mary N. Piepho <i>County Member</i>
Federal Glover <i>County Member</i>	Rob Schroder <i>City Member</i>
Michael R. McGill <i>Special District Member</i>	Igor Skaredoff <i>Special District Member</i>
Don Tatzin <i>City Member</i>	

ALTERNATE MEMBERS

Candace Andersen <i>County Member</i>
Sharon Burke <i>Public Member</i>
Tom Butt <i>City Member</i>
Stanley Caldwell <i>Special District Member</i>

December 9, 2015
Agenda Item 6

December 9, 2015 (Agenda)

Contra Costa Local Agency Formation Commission
651 Pine Street, Sixth Floor
Martinez, CA 94553

West County Wastewater District Annexation 314 (Park Avenue)
Request to Continue Hearing

Dear Members of the Commission:

This is a hearing to consider the annexation of 10 properties to the West County Wastewater District. The proposed annexation will facilitate connection to municipal sewer services to properties currently served by onsite septic systems.

We recently learned that the print and mail service sent out the wrong notice for this hearing. Consequently, we will need to re-send the hearing notice to all affected and surrounding landowners and registered voters.

RECOMMENDATION: Continue the hearing to the January 13, 2016 LAFCO meeting.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER



Lou Ann Teixeira
 Executive Officer

MEMBERS

Donald A. Blubaugh <i>Public Member</i>	Mary N. Piepho <i>County Member</i>
Federal Glover <i>County Member</i>	Rob Schroder <i>City Member</i>
Michael R. McGill <i>Special District Member</i>	Igor Skaredoff <i>Special District Member</i>
Don Tatzin <i>City Member</i>	

ALTERNATE MEMBERS

Candace Andersen
County Member
 Sharon Burke
Public Member
 Tom Butt
City Member
 Stanley Caldwell
Special District Member

December 9, 2015 (Agenda)

December 9, 2015
 Agenda Item 7

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

Commissioner Terms

Dear Members of the Commission:

This is an update regarding Commissioner appointments and the process for filling vacancies.

The authority and procedures for appointing members of the Commission are set forth in the Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (CKH Act). All terms of office on LAFCO are four years, expiring on the first Monday in May, unless otherwise specified.

In May 2015, the terms of five Commissioners will expire: City member Don Tatzin, County member Candace Andersen, Public members Don Blubaugh and Sharon Burke, and Special District member Mike McGill.

The selection process per the CKH and Commission policies for the members is summarized below:

City Members – selected by the City Selection Committee. The City appointments generally occur in March or April. LAFCO staff will coordinate with the Executive Director of the Contra Costa County Mayors’ Conference and report back to the Commission following the appointment.

County Members – appointed by the County Board of Supervisors. LAFCO staff will coordinate with the County regarding the upcoming vacancy, and report back to the Commission following the appointment. The Board of Supervisors typically makes its appointments in January each year.

Special District Members – selected by the Special District Selection Committee through the local chapter of the Special Districts Association. LAFCO staff will conduct the election in conjunction with the Contra Costa Special Districts Association, and report back to the Commission following the election in April 2016.

Public members - appointed by the other members of the commission subject to the affirmative vote of at least one of the members selected by each of the other appointing authorities (i.e., city, county, special district). The public member must be a resident of the County, and cannot be a current board member, officer, or employee of the County, a city or special district located in this county.

The Commission's current policies include provisions for recruiting and selecting Public Members (see attached). The Commission's policy provides that "a public member who is appointed following the Public Member Recruitment Process may be re-appointed under an alternative selection procedure once. Any subsequent reappointments require use of the Public Member Recruitment Process."

The current public members (i.e., regular and alternate) were appointed through the Public Member Recruitment Process; neither have been appointed through an alternative selection procedure (e.g., automatic reappointment).

Both public members have expressed interest in continuing to serve on Contra Costa LAFCO. The Commission has the option of appointing the public members under an alternative selection process, and can do so in April 2016. Otherwise, we will initiate the recruitment for the Public Member seats in March 2016.

RECOMMENDATION - Receive report and provide direction regarding the Public Member Selection Process.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Commissioner Handbook - Section 1.2 - Membership

1.2 MEMBERSHIP

A. Selection and Terms of Office

4) Public Members

The one regular public member and one alternate member are appointed by, and serve at the pleasure of, the regular city, county and special district members of the Commission.

5) Selection of Public and Alternate Public Members

The method for selecting public members is determined by the City, County and Special District members. At least four affirmative votes are required to appoint the public members, and there must be at least one vote from each of the other member categories: City, County and Special District.

Unless the Commission gives alternative direction, the following procedure is used to recruit and select public members of Contra Costa LAFCO.

Public Member Recruitment Process

- Public announcement of the vacancy.
- Committee appointed by the Chair, consisting of a City member, County member and Special District member, screens applications and letters of interest.
- A committee composed of part or all of the Commission conducts interviews of selected applicants.
- The committee makes recommendations to the Commission.
- The Commission may conduct subsequent interviews and make a selection.

The use of any alternative selection process requires at least four affirmative votes, and there must be at least one vote from each of the other member categories: City, County and Special District.

A public member who is appointed following the Public Member Recruitment Process may be re-appointed under an alternative selection procedure once. Any subsequent reappointments require use of the Public Member Recruitment Process.



Lou Ann Teixeira
 Executive Officer

MEMBERS

Donald A. Blubaugh <i>Public Member</i>	Mary N. Piepho <i>County Member</i>
Federal Glover <i>County Member</i>	Rob Schroder <i>City Member</i>
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Don Tatzin <i>City Member</i>	

ALTERNATE MEMBERS

Candace Andersen
County Member
 Sharon Burke
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 Stanley Caldwell
Special District Member

December 9, 2015 (Agenda)

December 9, 2015
 Agenda Item 8

Contra Costa Local Agency Formation Commission
 651 Pine Street, Sixth Floor
 Martinez, CA 94553

2015 Legislative Wrap-Up

Dear Commissioners:

October 11, 2015 marked the deadline for the Governor to act on 2015 legislation. Of the 2,772 bills introduced in this session, 1,084 were chaptered, 133 were vetoed, and the remaining 1,555 were either carried over or suspended.

In 2015, CALAFCO sponsored two bills and supported a number of others, several of which are summarized below.

CALAFCO Sponsored Bills

- **AB 851** (Mayes) *Disincorporations* - Chaptered

This bill provides long overdue legislative updates relating to the disincorporation of cities.

- **AB 1532** (Committee on Local Government) *Cortese Knox Hertzberg Local Government Reorganization Act* (CKH Act) - Chaptered

This is the annual CALAFCO omnibus bill which provides technical changes, clarifications and corrections to the CKH.

Other CALAFCO Priority Bills

- **AB 402** (Dodd) *Local Agency Services – Contracts* - Chaptered

This bill creates a five-year pilot opportunity for Napa and San Bernardino LAFCOs authorizing these LAFCOs to approve new or extended services outside existing jurisdictional boundaries and outside existing SOIs to support existing or planned uses involving public or private properties based on specific findings.

- **AB 448** (Brown) *Property Tax Revenue Allocations – Vehicle License Fee (VLF) Adjustments* – Held Under Submission

This bill would modify the existing reduction and transfer provisions for FY 2015-16 and going forward by providing for a VLF adjustment amount calculated on the basis of changes in assessed value, including an annexed area. CALAFCO is on record supporting this bill.

- **AB 3** (Williams) *Isla Vista Community Services District (CSD)* – Chaptered

This bill authorizes the formation of the Isla Vista CSD through an application by the County Board of Supervisors and a subsequent vote, and bypassing the LAFCO process. CALAFCO is on record opposing this bill.

- **AB 25** (Roth) *Property Tax Revenue Allocations – Vehicle License Fee (VLF) Adjustments* – Vetoed by the Governor

This bill would modify specified reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for FY 2014-15 and thereafter, by providing for a VLF adjustment amount calculated on the basis of changes in assessed value. CALAFCO is on record supporting this bill.

- **SB 88** – (Committee on Budget and Fiscal Review) – *Water* – Chaptered

This bill authorizes the State Water Resources Control Board (SWRCB) to order consolidation of water systems, including public and private systems and individual wells within a disadvantaged community. The bill requires that the SWRCB consult with and fully consider input from the relevant LAFCO. CALAFCO is on record opposing this bill.

- **SB 239** (Hertzberg) *Local Services: Contracts: Fire Protection Services* - Chaptered

This bill contains special provisions relating to out of agency fire service and sets several significant precedents. CALAFCO initially opposed this bill, then, after a number of amendments, issued a “no position.”

- **SB 272** (Hertzberg) – *California Public Records Act; Local Agencies: Inventory* - Chaptered

This bill requires public agencies, including LAFCOs, to make available to the public a catalogue of “enterprise systems” as defined in the statute. This is an unfunded State mandate.

- **AB 115** (Committee on Budget) *Water* – Ordered to Inactive File

This bill is the same as SB 88 (see above)

- **SB 552** (Wolk) *Public Water Systems: Disadvantaged Communities: Consolidation or extension of Service* – Failed Deadline

This bill modifies the definition of “disadvantaged community” for the purpose of providing water.

CALAFCO has an active legislative program that serves as a resource to Senate and Assembly committees; represents the interests of LAFCOs in Sacramento; and reviews, comments on and pursues legislation on behalf of LAFCOs statewide.

The Legislative Committee kicked off the 2016 legislative year on November 6th with a conference call to make introductions, establish committee expectations, adopt a meeting schedule, and conduct an initial overview of proposals received to date. The first face-to-face CALAFCO Legislative Committee meeting will be on December 11th in Sacramento. Commission McGill and your Executive Officer serve on the CALAFCO Legislative Committee and will continue to keep the Commission updated throughout the year.

RECOMMENDATION

Receive and file this report.

Sincerely,

Lou Ann Texeira
Executive Officer

Attachment 1 – 2015 Legislative Year Bill Summary
Attachment 2 - Final 2015 CALAFCO Legislative Update

ASSEMBLY LOCAL GOVERNMENT COMMITTEE 2015 LEGISLATIVE SUMMARY



Members:

Brian Maienschein, Chair
 Lorena Gonzalez, Vice Chair
 Luis A. Alejo
 David Chiu
 Ken Cooley
 Richard S. Gordon
 Chris R. Holden
 Eric Linder
 Marie Waldron

Consultants:

Debbie Michel
 Angela Mapp
 Misa Lennox

Secretary:

Dixie Petty

Assembly
California Legislature
Committee on Local Government

CONSULTANTS
Debbie Michel
Angela Mapp
Misa Lennox
COMMITTEE SECRETARY
Dixie Petty

BRIAN MAIENSCHNEIN
CHAIR

November 1, 2015

TO ALL INTERESTED PARTIES:

The start of the 2015-16 Legislative Session was a busy one for the Assembly Local Government Committee. Because of the large number of Assembly Members and Senators with local government backgrounds, interest in local government issues remained high.

Enclosed is a summary of bills introduced during the first year of the 2015-16 Legislative Session that were referred to the Assembly Local Government Committee. The summary includes a brief description and status of all bills, divided into the following categories: Elections; Governance; Health Care Districts and Health Authorities; Housing; Land Use; Local Agency Formation Commissions; Local Government Contracting and Procurement; Joint Exercise of Powers; Local Government Finance; Open Meetings, Public Records Act, Conflict of Interest, Privacy and Open Data; Powers and Duties; Public Safety; Public Trust Lands; Redevelopment and Post-Redevelopment; Transportation and Transit Districts; and Water.

For quick and easy reference, please see the table of contents in the front of this document or the index located at the end. Bills marked with an asterisk (*) were amended and subsequently utilized as vehicles for other bill proposals, some of which stayed within the Committee's jurisdiction. Additional information regarding this summary can be obtained through the Assembly Local Government Committee office at (916) 319-3958.

Sincerely,



Brian Maienschein, Chair

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ASSEMBLY LOCAL GOVERNMENT COMMITTEE 2015 LEGISLATIVE SUMMARY

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AB 278 (R. Hernández) District-based municipal elections.

Would require general law cities with a population of 100,000 or more to elect members of the city council by district. **Status:** *Referred to Senate Elections and Constitutional Amendments Committee.*

AB 910 (Harper) Political Reform Act of 1974: local enforcement.

Would expand an authorization currently granted only to San Bernardino County by allowing any city or county to enter into an agreement with the Fair Political Practices Commission (FPPC) for the FPPC to administer and enforce a local campaign finance ordinance. **Status:** *Referred to Assembly Committees on Elections and Redistricting and Local Government.*

AB 1083 (Eggman) Political Reform Act of 1974: local enforcement.

Allows the City of Stockton to enter into an agreement with the FPPC to administer and enforce the City's local campaign finance ordinance.

Status: Chapter 186, Statutes of 2015

SB 493 (Cannella) Elections in cities: by or from districts.

Allows a city with less than 100,000 people to adopt an ordinance requiring the city council to be elected by district without being required to submit the ordinance to the voters for approval.

Status: Chapter 735, Statutes of 2015

GOVERNANCE

AB 3 (Williams) Isla Vista Community Services District.

Establishes the formation process, boundaries, services, and governing body for the Isla Vista Community Services District.

Status: Chapter 548, Statutes of 2015

AB 386 (Dahle) Tulelake Irrigation District.

Would make changes to the qualifications for voters and directors in the Tulelake Irrigation District, and would require voters to be landowners instead of registered voters in the District.

Status: *Referred to Assembly Local Government Committee.*

*Denotes a bill that was amended and subsequently used for another purpose.

AB 738 (B. Gaines) Sacramento Regional Transit District.

Makes changes to Sacramento Regional Transit District's boundaries and establishes a new process for the annexation and detachment of territory.

Status: Chapter 335, Statutes of 2015

AB 948 (Patterson) Local government: community service districts.

Would make changes to the qualifications for directors in the Sierra Cedars Community Services District by authorizing non-resident landowners to be a candidate for the board of directors.

Status: Referred to Assembly Local Government Committee.

AB 952 (C. Garcia) Local government: vacancies.

Provides an alternative procedure for filling a vacancy on a city council that occurs early in a council member's term.

Status: Chapter 185, Statutes of 2015

AB 1217 (Daly) Orange County Fire Authority.

Would restructure the governing board of the Orange County Fire Authority. **Status: Referred to Senate Governance and Finance Committee.**

HEALTHCARE DISTRICTS AND HEALTH AUTHORITIES

AB 1290 (Dahle) Health care districts: public contracts: design-build.

Allows the Mayers Memorial Hospital District to use the design-build contracting method for the construction of a building or improvements directly related to construction of a hospital or health facility building at the District.

Status: Chapter 34, Statutes of 2015

AB 1350 (Salas) Kern County Hospital Authority.

Makes changes to existing law which authorizes the Kern County Board of Supervisors to establish the Kern County Hospital Authority.

Status: Chapter 790, Statutes of 2015

HOUSING

AB 313 (Atkins) Enhanced infrastructure financing districts.

Clarifies procedures for replacing dwelling units that are removed or destroyed within an Enhanced Infrastructure Financing District (EIFD) and makes other technical changes to EIFD law.

Status: Chapter 320, Statutes of 2015

AB 744 (Chau) Planning and zoning: density bonuses.

Requires a local government, upon the request of a developer that receives a density bonus, to reduce the minimum parking requirements for a housing development, if it meets specified criteria.

Status: Chapter 699, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 1316 (Lopez) Housing elements.

Would require local agencies to make a draft housing element or draft amendment to the housing element available to the public at least 30 days prior to submission to the Department of Housing and Community Development. **Status:** *Referred to Assembly Committees on Housing and Community Development and Local Government.*

AB 1368 (Baker) Housing element: discharged military personnel.

Would require, for any discharged military service personnel who records his or her DD 214 discharge document with a county recorder's office that the person lists as his or her county or residence, that it be deemed to have produced one new housing unit for the 2014-22 regional housing needs assessment cycle, to the credit of the city or county in which the service personnel resides. **Status:** *Referred to Assembly Committees on Local Government and Housing and Community Development.*

AB 1403 (Maienschein) Housing: joint powers agreement.

Allows a public agency or agencies and one or more private nonprofits dedicated to providing services to homeless persons to form a joint powers agency or enter into a joint powers agreement in order to identify and provide services to the most costly, frequent users of publicly funded emergency services.

Status: Chapter 188, Statutes of 2015

SB 434 (Allen) Manufactured housing: vehicle license fee: property taxation.

Would require the assessor to notify the Department of Housing and Community Development (HCD), the legal owner, and each assessee whose manufactured home is to be placed on the local assessment role, and would require HCD to transfer a manufactured home that is subject to the vehicle license fee to local property taxation when it is found that the home has been rebuilt and is no longer mobile. **Status:** *Referred to Assembly Committees on Housing and Community Development and Local Government.*

SB 441 (Leno) San Francisco redevelopment: housing.

Would allow the successor agency to the Redevelopment Agency of the City and County of San Francisco to issue bonds or incur other indebtedness to finance the affordable housing requirements of several designated projects. **Status:** *Ordered to Assembly Inactive File.*

LAND USE

AB 57 (Quirk) Telecommunications: wireless telecommunication facilities.

Requires a collocation or siting application for a wireless telecommunications facility to be deemed approved, if specified conditions are met, and applies these provisions to all counties and cities, including charter cities.

Status: Chapter 685, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 201 (Brough) Registered sex offenders: local ordinances.

Would allow cities and counties to adopt ordinances, rules or regulations that are more restrictive than state law regarding the ability of people who are required to register as sex offenders to reside or be present at certain locations within the city or county. **Status:** *Referred to Assembly Committees on Local Government and Public Safety. Do pass and re-refer to Committee on Public Safety.*

AB 451 (Bonilla) Private parking facilities.

Allows cities or counties to authorize, via ordinance or resolution, operators of privately owned and maintained off-street parking facilities to regulate unauthorized parking in their facilities. **Status:** **Chapter 168, Statutes of 2015**

AB 644 (Wood) Land use: general plan: safety element: fire hazard impacts.

Removes the requirement that a county make specified findings pursuant to the Subdivision Map Act for an area located in a state responsibility area or a very high fire hazard severity zone, in certain instances.

Status: **Chapter 402, Statutes of 2015**

AB 707 (Wood) Agricultural land: Williamson Act contracts: cancellation.

Requires the Department of Conservation to provide a preliminary valuation of Williamson Act contract land to the county assessor and the city council or board of supervisors at least 60 days before the effective date of the agreed upon cancellation valuation, if the contracted land is in a city or county that has its own cancellation fee.

Status: **Chapter 631, Statutes of 2015**

AB 744 (Chau) Planning and zoning: density bonuses.

Requires a local government, upon the request of a developer that receives a density bonus, to reduce the minimum parking requirements for a housing development, if it meets specified criteria.

Status: **Chapter 699, Statutes of 2015**

AB 747 (Eggman) Planning and land use: Sacramento-San Joaquin Valley.

Clarifies, for purposes of a project that is located within a flood hazard zone in the Sacramento-San Joaquin Valley, what types of permits can be issued by a city or county without that city or county making a specified finding about flood protection.

Status: **Chapter 152, Statutes of 2015**

AB 1119 (Rendon) Public utilities: municipal corporations: rights of way.

Provides counties with the same rights as municipal corporations regarding the legal authority to challenge a utility project owned, operated, or being constructed by a municipal corporation in or over a street or highway located in unincorporated county territory.

Status: **Chapter 670, Statutes of 2015**

*Denotes a bill that was amended and subsequently used for another purpose.

AB 1230 (Gomez) Zoning regulations: interim ordinances. *

Would require the legislative body of a city or county to issue a written report 15 days prior to the expiration of an interim ordinance or any extension. **Status:** *Referred to Assembly Local Government Committee.*

AB 1236 (Chiu) Local ordinances: electric vehicle charging stations.

Requires counties and cities, including charter cities, to create an expedited permitting and inspection process for electric vehicle charging stations.

Status: Chapter 598, Statutes of 2015

AB 1251 (Gomez) Greenway Development and Sustainment Act.

Allows for the creation of a greenway easement, which must be considered when assessing land values for the purposes of property taxation, and allows the open-space element of a general plan to include greenways.

Status: Chapter 639, Statutes of 2015

AB 1298 (Gipson) Environmental quality: City of Carson: sports stadium.

Would place requirements, for an entertainment and sports center project located in the City of Carson, on the public agency in certifying the environmental impact report and granting the approvals for the project, as specified. **Status:** *Referred to Assembly Committees on Natural Resources and Local Government.*

AB 1303 (Gray) Subdivision Map Act: map expiration dates.

Provides an automatic 24-month extension for unexpired subdivision maps approved after January 1, 2000, in jurisdictions that meet specified criteria.

Status: Chapter 751, Statutes of 2015

AB 1344 (Jones) County office of education: charter schools.

Would authorize county offices of education (COEs) to render a city or county zoning ordinance inapplicable to a proposed use of property by COEs, and would require the governing board of a school district or county office to render a city or county zoning ordinance inapplicable at the request of a charter school for a charter school facility. **Status:** *Referred to Assembly Committees on Education and Local Government.*

SB 379 (Jackson) Land use: general plan: safety element.

Requires cities and counties to update their safety elements to address climate adaptation and resiliency strategies.

Status: Chapter 608, Statutes of 2015

LOCAL AGENCY FORMATION COMMISSIONS

AB 3 (Williams) Isla Vista Community Services District.

Establishes the formation process, boundaries, services, and governing body for the Isla Vista Community Services District.

Status: Chapter 548, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 402 (Dodd) Local agency services: contracts.
Establishes a pilot program, until January 1, 2021, for Napa and San Bernardino Local Agency Formation Commissions (LAFCOs) to authorize a city or district to extend services outside of boundaries for additional purposes beyond responding to a threat to public health or safety.
Status: Chapter 431, Statutes of 2015

AB 851 (Mayes) Local government: organization: disincorporations.
Makes changes to the city disincorporation process in the Cortese-Knox Hertzberg Act.
Status: Chapter 304, Statutes of 2015

AB 1532 (Local Government) Local government: omnibus.
Makes several non-controversial changes to the laws affecting local government organization and reorganization.
Status: Chapter 114, Statutes of 2015

SB 239 (Hertzberg) Local services: contracts: fire protection services.
Requires a public agency to receive approval from a LAFCO to provide new or extended fire protections services outside its jurisdictional boundaries, pursuant to a fire protection contract.
Status: Chapter 763, Statutes of 2015

LOCAL GOVERNMENT CONTRACTING AND PROCUREMENT

AB 495 (Gordon) Regional park and open-space districts: general manager: powers.
Increases, from \$25,000 to \$50,000, the amount for which the East Bay Regional Park District or the Midpeninsula Regional Open Space District may enter into contracts without a formal bid process.
Status: Chapter 149, Statutes of 2015

AB 504 (Gonzalez) Local planning.
Would have authorized a city to delegate to or contract with a nonprofit public benefit corporation for the performance of ministerial planning functions, and would have required a city to retain all nonministerial planning functions.
Status: Vetoed

AB 727 (Wilk) Castaic Lake Water Agency.
Would make a number of changes to the Castaic Lake Water Agency (CLWA) Law, and to CLWA's contracting authority under the Public Contract Code. **Status: Referred to Assembly Committees on Local Government and Utilities and Commerce.**

AB 975 (Frazier) Local Agency Public Construction Act: bid criteria. *
Would prohibit local public agencies and school districts from disqualifying prospective bidders on public works contracts based on a bidder's involvement in a claim filed by either the bidder or the project owner. **Status: In Senate Education Committee.**

*Denotes a bill that was amended and subsequently used for another purpose.

AB 1290 (Dahle) Health care districts: public contracts: design-build.

Allows the Mayers Memorial Hospital District to use the design-build contracting method for the construction of a building or improvements directly related to construction of a hospital or health facility building at the District.

Status: Chapter 34, Statutes of 2015

AB 1315 (Alejo) Public contracts: water pollution prevention plans: delegation.

Would prohibit local agencies, including charter cities, from requiring contractors to develop, or assume responsibility for the completeness and accuracy of, plans to prevent or reduce water pollution or runoff on public works projects. **Status: In Assembly Appropriations Committee: Held under submission.**

SB 239 (Hertzberg) Local services: contracts: fire protection services.

Requires a public agency to receive approval from a LAFCO to provide new or extended fire protections services outside its jurisdictional boundaries, pursuant to a fire protection contract.

Status: Chapter 763, Statutes of 2015

SB 330 (Mendoza) Public officers: contracts: financial interest.

Would expand the definition of what constitutes a remote interest for purposes of California law governing public officials' conflicts of interest in contracting. **Status: In Senate Appropriations Committee: Held under submission.**

SB 331 (Mendoza) Public contracts: local agencies: negotiations.

Requires local agencies that have adopted a Civic Openness in Negotiations ordinance for their labor contracts to use a similar process to evaluate, negotiate, and approve specified goods or services contracts valued at \$250,000 or more.

Status: Chapter 714, Statutes of 2015

SB 374 (Hueso) Local agency design-build projects: transit districts.

Allows the San Diego Association of Governments (SANDAG) to use the design-build procurement process for specified development projects related to transit facilities developed or jointly developed by SANDAG.

Status: Chapter 715, Statutes of 2015

SB 562 (Lara) Infrastructure financing: City of Long Beach Civic Center.

Allows the City of Long Beach to use a public-private partnership procurement method to develop a new civic center.

Status: Chapter 178, Statutes of 2015

SB 626 (McGuire) Sonoma-Marín Area Rail Transit District: police force.

Authorizes the Sonoma-Marín Area Rail Transit District to hire a sworn peace officer and, if additional officers are needed, to contract with law enforcement agencies located within Marin or Sonoma County.

Status: Chapter 492, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

SB 762 (Wolk) Competitive bidding: best value: pilot program: design-build.
Allows seven counties to award construction contracts valued above \$1 million on the basis of best value, until January 1, 2020.
Status: Chapter 627, Statutes of 2015

JOINT EXERCISE OF POWERS

AB 656 (C. Garcia) Joint powers agreements: mutual water companies.
Allows a mutual water company and a public agency to enter into a joint powers agreement for the provision of insurance and risk-pooling.
Status: Chapter 250, Statutes of 2015

AB 1260 (Thurmond) Joint Exercise of Powers Act.
Would authorize the University of California to enter into a joint powers agreement with the City of Richmond, or an enhanced infrastructure financing district created by the City of Richmond, for financing infrastructure and other improvements within the area of the South Shoreline Specific Plan and the Berkeley Global Campus at Richmond Bay, if the agreement includes specified provisions benefitting the local community. **Status: Referred to Senate Committees on Education and Governance and Finance.**

AB 1403 (Maienschein) Housing: joint powers agreement.
Allows a public agency or agencies and one or more private, nonprofits dedicated to providing services to homeless persons to form a joint powers agency or enter into a joint powers agreement in order to identify and provide services to the most costly, frequent users of publicly funded emergency services.
Status: Chapter 188, Statutes of 2015

SB 710 (Galgiani) Joint exercise of powers.
Would authorize California joint powers authorities to issue bonds and enter into loan agreements to finance or refinance projects located outside this state. **Status: Referred to Assembly Committees on Local Government and Revenue and Taxation.**

LOCAL GOVERNMENT FINANCE

AB 237 (Daly) Local governments: parcel taxes: notice.
Would require local agencies to provide specified notification to property owners before the adoption of any new parcel tax. **Status: In Assembly Appropriations Committee: Held under submission.**

AB 283 (Dababneh) Financial affairs.
Extends the sunset date on the authority granted to local agencies to use a private sector deposit placement service to invest up to 30% of surplus funds into deposits other than certificates of deposits, and removes the cap on funds that may be invested in any single private sector deposit placement service.
Status: Chapter 181, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 338 (R. Hernández) Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Would authorize the Los Angeles County Metropolitan Transportation Authority, subject to voter approval, to impose an additional transactions and use tax at a rate of 0.5% for a period not to exceed 30 years. **Status:** *Referred to Senate Committees on Transportation and Housing and Governance and Finance.*

AB 341 (Achadjian) Financial affairs: reports.

Extends the amount of time for local agencies to report financial information to the State Controller for the publication of local financial transactions.

Status: Chapter 37, Statutes of 2015

AB 422 (McCarty) Sacramento Regional Transit District: line of credit.

Enables Sacramento Regional Transit District to obtain a short-term revolving line of credit for operating purposes.

Status: Chapter 328, Statutes of 2015

AB 440 (Alejo) Local government finance: property tax revenue allocations: County of San Benito.

Would address past property tax apportionment factors in San Benito County. **Status:** *In Assembly Appropriations Committee: Held under submission.*

AB 448 (Brown) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Would modify the formulas for calculating annual vehicle license fee adjustment amounts to include the assessed property valuation within inhabited territory annexed to cities. **Status:** *In Senate Appropriations Committee: Held under submission.*

AB 464 (Mullin) Transactions and use taxes: maximum combined rate.

Would have increased the countywide transactions and use tax combined rate from 2% to 3%, statewide.

Status: Vetoed

AB 514 (Williams) Ordinances: violations: administrative fines.

Would have allowed counties to assess larger administrative fines for violations of county ordinances that govern building and safety, brush removal, grading, film permitting, and zoning.

Status: Vetoed

AB 661 (Mathis) Counties: recording: real estate instruments.

Clarifies an exemption in current law from fees that counties can place on certain recorded real estate documents to fund real estate fraud prevention and enforcement.

Status: Chapter 76, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 746 (Ting) San Francisco Bay Restoration Authority.
Extends the sunset date from January 1, 2029, to January 1, 2049, for statutes governing the San Francisco Bay Restoration Authority and specifies that the Authority may incur general obligation indebtedness for specified purposes.
Status: Chapter 226, Statutes of 2015

AB 896 (Wagner) Counties: search or rescue: costs.
Allows counties to seek reimbursement from residents age 16 or older for search or rescue costs under specified conditions.
Status: Chapter 436, Statutes of 2015

AB 1105 (Daly) Subdivided lands: release of performance security.
Would repeal the sunset date in the statute governing the timeframe and procedures for releasing subdivision performance securities. **Status: Referred to Senate Governance and Finance Committee.**

AB 1127 (Cooley) Domestic and family violence: Sacramento County.
Would allow Sacramento County to increase fees by up to \$4 for certified copies of marriage certificates, birth certificates, fetal death records, and death records to fund domestic and family violence prevention, intervention, and prosecution. **Status: Referred to Senate Committees on Governance and Finance and Judiciary.**

AB 1191 (Nazarian) Quimby Act: fees.
Allows the City of Los Angeles to spend proceeds from accrued interest on fee revenues collected pursuant to the Quimby Act for specified purposes.
Status: Chapter 276, Statutes of 2015

AB 1220 (Harper) Transient occupancy taxes: residential short-term rental units.
Would prohibit a legislative body of a local agency from levying a tax on the privilege of occupying a residential short-term rental unit. **Status: Referred to Assembly Committees on Local Government and Revenue and Taxation.**

AB 1362 (Gordon) Local government: assessments, fees, and charges: stormwater definition.
Would add a definition for stormwater to the California Constitution. **Status: Referred to Local Government Committee.**

AB 1455 (Rodriguez) Ontario International Airport.
Would allow the City of Ontario to issue revenue bonds for the purpose of financing the acquisition of the Ontario International Airport from the City of Los Angeles, and would place specified worker retention provisions on the successor agency that acquires the Ontario Airport.
Status: In Senate Governance and Finance Committee.

*Denotes a bill that was amended and subsequently used for another purpose.

AB 1502 (Brown) State government assistance to cities.

Would require a state agency or department, within 30 days of a request, to provide any assistance, information, data, and services to a city participating in a neutral evaluation process or a bankruptcy proceeding. **Status:** *Referred to Assembly Local Government Committee.*

SB 25 (Roth) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Would have provided a city incorporating after January 1, 2004, and on or before January 1, 2012, with property tax in lieu of vehicle license fees.

Status: **Vetoed**

SB 181 (Governance and Finance) Validations.

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts, and school districts, among other public bodies.

Status: **Chapter 4, Statutes of 2015**

SB 182 (Governance and Finance) Validations.

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts, and school districts, among other public bodies.

Status: **Chapter 256, Statutes of 2015**

SB 183 (Governance and Finance) Validations.

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts, and school districts, among other public bodies.

Status: **Chapter 45, Statutes of 2015**

SB 188 (Hancock) Municipal utility district: utility charges: delinquencies.

Makes permanent provisions of law that authorize a municipal utility district to file a lien on real property for unpaid water and sewer utility charges rendered to a lessee, tenant, or subtenant, which may be collected on the tax roll in the same manner as property taxes.

Status: **Chapter 270, Statutes of 2015**

SB 222 (Block) Local agencies: school bonds: general obligation bonds: statutory lien.

Enacts a statutory lien to secure general obligation bonds issued or sold by a city, county, city and county, school district, community college district, authority, or special district.

Status: **Chapter 78, Statutes of 2015**

SB 434 (Allen) Manufactured housing: vehicle license fee: property taxation.

Would require the assessor to notify the Department of Housing and Community Development (HCD), the legal owner, and each assessee whose manufactured home is to be placed on the local assessment role, and would require HCD to transfer a manufactured home that is subject to the vehicle license fee to local property taxation when it is found that the home has been rebuilt and is no longer mobile. **Status:** *Referred to Assembly Committees on Housing and Community Development and Local Government.*

*Denotes a bill that was amended and subsequently used for another purpose.

SB 477 (Leyva) Property tax postponement: mobilehomes.

Would authorize qualified mobilehome owners to apply to the State Controller to defer payment of property taxes through the Senior Citizens and Disabled Citizens Property Tax Postponement Program. **Status:** *In Assembly Appropriations Committee: Held in committee under submission.*

SB 533 (Pan) Cities and counties: sales and use tax agreements.

Revises and recasts existing law which prohibits a local agency from entering into an agreement that would result in the payment, transfer, diversion, or rebate of Bradley-Burns local tax proceeds to a retailer if the agreement results in a reduction of revenue that is received by another local agency.

Status: Chapter 717, Statutes of 2015

SB 602 (Monning) Seismic safety: California Earthquake Authority.

Would authorize the California Earthquake Authority to enter into voluntary contractual assessments with property owners to finance the instillation of seismic strengthening improvements. **Status:** *Re-referred to Assembly Appropriations Committee.*

SB 705 (Hill) Transactions and use taxes: County of San Mateo: Transportation Agency for Monterey County.

Allows San Mateo and Marin Counties to impose a transactions and use tax at a specified amount for the support of countywide transportation programs that would, in combination with other taxes, exceed the statutory limit of 2%.

Status: Chapter 579, Statutes of 2015

SB 710 (Galgiani) Joint exercise of powers.

Would authorize California joint powers authorities to issue bonds and enter into loan agreements to finance or refinance projects located outside this state. **Status:** *Referred to Assembly Committees on Local Government and Revenue and Taxation.*

SB 711 (Wolk) Law libraries.

Authorizes a county law library to impose charges for special services, including electronic delivery, other delivery services, educational programs, special events, and the provision of supplies or food services, and defines, for purposes of the law related to the California State Library, the term "public library" to include any county law library, as specified.

Status: Chapter 318, Statutes of 2015

SB 767 (De Leon) Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Authorizes the Los Angeles County Metropolitan Transportation Authority, subject to voter approval, to impose an additional transactions and use tax.

Status: Chapter 580, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

SB 789 (Wieckowski) Sale of water by local public entities: excise tax.

Would authorize a local public entity that supplies water at retail or wholesale to impose an excise tax on an excessive user of water at a specified rate, subject to two-thirds voter approval, and would require the revenue to be equally distributed between the local public entity and the State Water Resources Control Board. **Status:** *Referred to Assembly Committees on Local Government and Revenue and Taxation. In Local Government Committee: Heard for testimony only.*

OPEN MEETINGS, PUBLIC RECORDS ACT, CONFLICT OF INTEREST, PRIVACY AND OPEN DATA

AB 36 (Campos) Local government: federal surplus property.

Would have prohibited local agencies, except local law enforcement agencies that are directly under the control of an elected officer, from applying to receive specified surplus military equipment from the federal government, unless the legislative body of the local agency approves the acquisition at a regular meeting held pursuant to the Ralph M. Brown Act.

Status: **Vetoed**

AB 169 (Maienschein) Local government: public records: Internet.

Requires local agencies to use specified open data standards if they maintain an Internet Resource that is described or titled as "open data" and if they choose to post public records on that Internet Resource.

Status: **Chapter 737, Statutes of 2015**

AB 241 (Gordon) Bankruptcy: retired employees: disclosure of names and mailing addresses.

Would require a local public entity to provide the name and mailing address of each retired employee to an organization representing retired employees of the local public entity, in specified instances leading up to and when a local public entity files for bankruptcy. **Status:** *In Assembly Appropriations Committee.*

AB 951 (Wilk) Santa Clarita Valley Sanitation District.

Requires all regular and special meetings of the Santa Clarita Valley Sanitation District (SCVSD), where decisions are being made upon policy items relating to a total maximum daily load of any pollutant, to be held within the boundaries of the SCVSD.

Status: **Chapter 342, Statutes of 2015**

AB 1284 (Baker) Bay Area state-owned toll bridges: Toll Bridge Program Oversight Committee.

Requires the Toll Bridge Project Oversight Committee to be subject to the Bagley-Keene Open Meeting Act.

Status: **Chapter 172, Statutes of 2015**

*Denotes a bill that was amended and subsequently used for another purpose.

SB 272 (Hertzberg) The California Public Records Act: local agencies: inventory.
Requires cities, counties, special districts, and joint powers authorities, by July 2016, to create a catalogue of their enterprise systems and make the catalog available to the public, including on the agency's Web site.
Status: Chapter 795, Statutes of 2015

SB 330 (Mendoza) Public officers: contracts: financial interest.
Would expand the definition of what constitutes a remote interest for purposes of California law governing public officials' conflicts of interest in contracting. **Status: In Assembly Appropriations Committee: Held under submission.**

SB 331 (Mendoza) Public contracts: local agencies: negotiations.
Requires local agencies that have adopted a Civic Openness in Negotiations ordinance for their labor contracts to use a similar process to evaluate, negotiate, and approve specified goods or services contracts valued at \$250,000 or more.
Status: Chapter 714, Statutes of 2015

SB 741 (Hill) Mobile communications: privacy.
Requires local agencies to publicly approve the acquisition of cellular communications interception technology (CCIT), requires local agencies to develop and release a usage and privacy policy for CCIT, and provides for civil remedies in the event of a violation.
Status: Chapter 659, Statutes of 2015

POWERS AND DUTIES

AB 45 (Mullin) Household hazardous waste.
Would require jurisdictions that provide for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste. **Status: In Assembly Appropriations Committee.**

AB 189 (Bloom) Arts Council: cultural districts.
Requires the California Arts Council to establish criteria and guidelines for state-designated cultural districts, and defines state-designated cultural districts.
Status: Chapter 396, Statutes of 2015

AB 285 (Gallagher) Legal assistants. *
Would make minor changes to the laws governing the registration of legal document assistants.
Status: In Senate Judiciary Committee.

AB 347 (Chang) Local agencies: city selection committees: County of Los Angeles.
Requires specified city council members to serve as the voting member of the Los Angeles County City Selection Committee when a mayor or the mayor's designated member is unable to attend a meeting.
Status: Chapter 361, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 385 (Chu) **Solid waste facilities: Newby Island Landfill: stakeholder group.**
Would require the Bay Area Air Quality Management District to establish a South Bay Odor Stakeholder Group and to hold a public meeting, at least once every six months to discuss issues related to odors emanating from the Newby Island Landfill, as well as odors from other locations around the landfill, and specifies the membership of the Group. **Status:** *In Senate Environmental Quality Committee.*

AB 541 (Dahle) **Big Valley Watermaster District Act.**
Would create the Big Valley Watermaster District and establish the boundaries, governing body, and powers and duties of the District. **Status:** *Referred to Assembly Local Government Committee.*

AB 568 (Dodd) **Reclamation District No. 108: hydroelectric power.**
Authorizes Reclamation District No. 108, until January 1, 2021, to generate and sell hydroelectric power.
Status: **Chapter 134, Statutes of 2015**

AB 630 (Linder) **Public officers and employees: oath of office.**
Allows a county board of supervisors to require the filing of a new oath of office, in specified instances.
Status: **Chapter 365, Statutes of 2015**

AB 679 (Allen) **Documents: recordation. ***
Would require county recorders to endorse the number of pages upon any document presented for recording, and would remove a requirement that county recorders note on the record the name of the person requesting a document to be recorded. **Status:** *Ordered to Senate Inactive File.*

AB 718 (Chu) **Local government: powers.**
Would prohibit a city, county, or city and county from prohibiting or otherwise subjecting to civil or criminal penalties the act of sleeping or resting in a lawfully parked motor vehicle.
Status: *Ordered to Senate Inactive File.*

AB 778 (Maienschein) **Fees: military service records.**
Allows county recorders to provide certified copies of military discharge documents when those documents are requested in writing or via fax or digitized image.
Status: **Chapter 84, Statutes of 2015**

AB 783 (Daly) **Cities: legislative bodies: subpoena power. ***
Would allow a city attorney to attest a subpoena that has been signed by a mayor. **Status:** *Referred to Senate Committee on Governance and Finance.*

*Denotes a bill that was amended and subsequently used for another purpose.

AB 823 (Bigelow) Counties: ordinances.

Allows counties to post on their Web sites proposed and adopted ordinances as an alternative to posting a copy of the full text of the ordinance in the office of the clerk of the board of supervisors.

Status: Chapter 39, Statutes of 2015

AB 951 (Wilk) Santa Clarita Valley Sanitation District.

Requires all regular and special meetings of the Santa Clarita Valley Sanitation District (SCVSD), where decisions are being made upon policy items relating to a total maximum daily load of any pollutant, to be held within the boundaries of the SCVSD.

Status: Chapter 342, Statutes of 2015

ACR 93 (Holden) Fire safety: municipal ordinances.

Encourages all California municipalities to reexamine regulations surrounding mandatory fire suppression ordinances.

Status: Res. Chapter 173, Statutes of 2015

SB 184 (Governance and Finance) Local government: omnibus bill.

Enacts the Local Government Omnibus Bill of 2015, which proposes a number of non-controversial changes to existing laws governing the powers and duties of local agencies.

Status: Chapter 269, Statutes of 2015

SB 188 (Hancock) Municipal utility district: utility charges: delinquencies.

Makes permanent provisions of law that authorize a municipal utility district to file a lien on real property for unpaid water and sewer utility charges rendered to a lessee, tenant, or subtenant, which may be collected on the tax roll in the same manner as property taxes.

Status: Chapter 270, Statutes of 2015

SB 422 (Monning) Santa Clara Valley Open-Space Authority.

Makes changes to the Santa Clara County Open-Space Authority Act and authorizes the Authority to acquire real and personal property outside its boundaries.

Status: Chapter 99, Statutes of 2015

SB 481 (Hueso) Local government: auditors independence.

Would have prohibited the general counsel of a local government from having direct oversight over that local government's auditors.

Status: Vetoed

SB 485 (Hernández) County of Los Angeles: sanitation districts.

Authorizes the Los Angeles County Sanitation Districts to acquire, construct, operate, maintain, and furnish facilities to divert, manage, and treat stormwater and dry weather runoff.

Status: Chapter 678, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

PUBLIC SAFETY

AB 36 (Campos) Local government: federal surplus property.

Would have prohibited local agencies, except local law enforcement agencies that are directly under the control of an elected officer, from applying to receive specified surplus military equipment from the federal government, unless the legislative body of the local agency approves the acquisition at a regular meeting held pursuant to the Ralph M. Brown Act.

Status: Vetoed

AB 201 (Brough) Registered sex offenders: local ordinances.

Would allow cities and counties to adopt ordinances, rules or regulations that are more restrictive than state law regarding the ability of people who are required to register as sex offenders to reside or be present at certain locations within the city or county. **Status:** *Referred to Assembly Committees on Local Government and Public Safety. Do pass and re-refer to Committee on Public Safety.*

AB 896 (Wagner) Counties: search or rescue: costs.

Allows counties to seek reimbursement from residents age 16 or older for search or rescue costs under specified conditions.

Status: Chapter 436, Statutes of 2015

AB 1127 (Cooley) Domestic and family violence: Sacramento County.

Would allow Sacramento County to increase fees by up to \$4 for certified copies of marriage certificates, birth certificates, fetal death records, and death records to fund domestic and family violence prevention, intervention, and prosecution. **Status:** *Referred to Senate Committees on Governance and Finance and Judiciary.*

PUBLIC TRUST LANDS

SB 141 (McGuire) Humboldt Bay Harbor, Recreation, and Conservation District Act: land grants, acquisitions, and dispositions.

Clarifies that the Humboldt Bay Harbor, Recreation, and Conservation District is authorized to sell or transfer certain property, and makes several other changes to the District's Act.

Status: Chapter 231, Statutes of 2015

SB 399 (Hall) Tidelands and submerged lands: City of Los Angeles.

Increases the maximum allowable term for franchises, permits, and leases for the City of Los Angeles' granted tidelands and submerged lands from 50 years to 66 years.

Status: Chapter 450, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

REDEVELOPMENT AND POST-REDEVELOPMENT

AB 2 (Alejo) Community revitalization authority.

Authorizes local entities, either individually or collaboratively to form a Community Revitalization and Investment Authority (CRIA) and allows participating entities to agree to direct property tax increment revenues to the CRIA to invest in improvements in specified project areas that are characterized by low household income, high unemployment and crime, and deteriorated public infrastructure and structures.

Status: Chapter 319, Statutes of 2015

AB 204 (O'Donnell) Redevelopment: County of Los Angeles.

Would prohibit oversight boards in Los Angeles County from being consolidated into a single countywide oversight board unless a successor agency adopts a resolution dissolving the board.

Status: Ordered to Senate Inactive File.

AB 313 (Atkins) Enhanced infrastructure financing districts.

Clarifies procedures for replacing dwelling units that are removed or destroyed within an Enhanced Infrastructure Financing District (EIFD) and makes other technical changes to EIFD law.

Status: Chapter 320, Statutes of 2015

AB 654 (Brown) Redevelopment: revenues from property tax override rates.

Would prohibit a county auditor from allocating revenues derived from a property tax rate approved by voters in a city, county, or special district to the Redevelopment Property Tax Trust Fund, to pay for the State Water Project, except as specified. **Status: In Assembly Appropriations Committee: Held under submission.**

AB 712 (Mullin) Redevelopment: successor agencies: Recognized Obligation Payment Schedule.

Would revise the timeline, commencing July 1, 2016, for the preparation of the required Recognized Obligation Payment Schedule to provide that the successor agency prepare a schedule for a 12-month fiscal period, with the first of these periods beginning July 1, 2016.

Status: Referred to Assembly Committees on Local Government and Housing and Community Development.

AB 806 (Dodd) Redevelopment: successor agencies to redevelopment agencies. *

Would make various changes to provisions of law governing former redevelopment agencies.

Status: In Senate Committee on Governance and Finance: Set, first hearing. Hearing canceled at the request of author.

AB 974 (Bloom) Redevelopment dissolution: housing projects: bond proceeds.

Would allow successor agencies greater flexibility for bond obligation proceeds issued between January 1, 2011, and June 28, 2011, under specified conditions. **Status: Ordered to Senate Inactive File.**

*Denotes a bill that was amended and subsequently used for another purpose.

AB 1009 (C. Garcia) Local government: redevelopment: revenues from property tax override rates.

Would enact provisions that would allow revenues from a voter-approved pension property tax to be allocated to the city or county whose voters approved the tax, under specified conditions.

Status: *In Assembly Appropriations Committee: Held under submission.*

AB 1079 (Obernolte) Successor agencies: due diligence review: finding of completion.

Would provide that the requirements of a due diligence review have been satisfied if specified conditions with respect to a transfer of assets are met, and would provide in that event, that the successor agency is entitled to a finding of completion by the Department of Finance.

Status: *Referred to Assembly Committees on Local Government and Housing and Community Development.*

AB 1080 (Obernolte) Redevelopment: enforceable obligations: military base reuse.

Would authorize the Department of Finance to find that an agreement between a former redevelopment agency and a joint powers authority that was created to exercise the powers provided by the Military Base Reuse Authority Act is an enforceable obligation.

Status: *Referred to Assembly Committees on Local Government and Housing and Community Development.*

AB 1412 (Perea) Redevelopment: successor agencies to redevelopment agencies.

Would have allowed for an expedited repayment schedule of an outstanding loan agreement entered into between a former redevelopment agency and the City of San Joaquin, under specified conditions.

Status: **Vetoed**

SB 63 (Hall) Seaport infrastructure financing districts.

Allows cities and counties to create Seaport Infrastructure Financing Districts (SIFDs), and allows SIFDs to finance port or harbor infrastructure, under specified conditions.

Status: **Chapter 793, Statutes of 2015**

SB 441 (Leno) San Francisco redevelopment: housing.

Would allow the successor agency to the Redevelopment Agency of the City and County of San Francisco to issue bonds or incur other indebtedness to finance the affordable housing requirements of several designated projects. **Status:** *Ordered to Assembly Inactive File.*

TRANSPORTATION AND TRANSIT DISTRICTS

AB 338 (R. Hernández) Los Angeles County Metropolitan Transportation Authority: transactions and use tax.

Would authorize the Los Angeles County Metropolitan Transportation Authority, subject to voter approval, to impose an additional transactions and use tax at a rate of 0.5% for a period not to exceed 30 years. **Status:** *Referred to Senate Committees on Transportation and Housing and Governance and Finance.*

*Denotes a bill that was amended and subsequently used for another purpose.

AB 422 (McCarty) Sacramento Regional Transit District: line of credit.
Enables Sacramento Regional Transit District to obtain a short-term revolving line of credit for operating purposes.

Status: Chapter 328, Statutes of 2015

AB 726 (Nazarian) Vehicles: Los Angeles County Metropolitan Transportation Authority.

Authorizes the Los Angeles County Metropolitan Transportation Authority to operate articulated buses that do not exceed 82 feet on the Orange Line in Los Angeles County.

Status: Chapter 479, Statutes of 2015

AB 738 (B. Gaines) Sacramento Regional Transit District.

Makes changes to Sacramento Regional Transit District's boundaries and establishes a new process for the annexation and detachment of territory.

Status: Chapter 335, Statutes of 2015

AB 906 (Cooper) Sacramento Regional Transit District.

Deletes the proportionate share payment in existing law that the City of Elk Grove must fulfill to maintain an appointment of a director to Sacramento Regional Transit District's Board of Directors.

Status: Chapter 339, Statutes of 2015

AB 1098 (Bloom) Transportation: congestion management.

Would make changes to the laws governing county congestion management plans. **Status:** *Referred to Assembly Committees on Transportation and Local Government.*

AB 1284 (Baker) Bay Area state-owned toll bridges: Toll Bridge Program Oversight Committee.

Requires the Toll Bridge Project Oversight Committee to be subject to the Bagley-Keene Open Meeting Act.

Status: Chapter 172, Statutes of 2015

AB 1459 (Kim) Toll lanes: County of Orange.

Would prohibit the California Department of Transportation from seeking or providing funding for the construction of a toll lane on a public highway in Orange County unless the toll lane project is first approved by a two-thirds vote of the Orange County Transportation Authority.

Status: *Referred to Assembly Committees on Transportation and Local Government.*

SB 374 (Hueso) Local agency design-build projects: transit districts.

Allows the San Diego Association of Governments (SANDAG) to use the design-build procurement process for specified development projects related to transit facilities developed or jointly developed by SANDAG.

Status: Chapter 715, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

SB 626 (McGuire) Sonoma-Marín Area Rail Transit District: police force.
Authorizes the Sonoma-Marín Area Rail Transit District to hire a sworn peace officer and, if additional officers are needed, to contract with law enforcement agencies located within Marin or Sonoma County.
Status: Chapter 492, Statutes of 2015

SB 705 (Hill) Transactions and use taxes: County of San Mateo: Transportation Agency for Monterey County.
Allows San Mateo and Marin Counties to impose a transactions and use tax at a specified amount for the support of countywide transportation programs that would, in combination with other taxes, exceed the statutory limit of 2%.
Status: Chapter 579, Statutes of 2015

SB 767 (De Leon) Los Angeles County Metropolitan Transportation Authority: transactions and use tax.
Authorizes the Los Angeles County Metropolitan Transportation Authority, subject to voter approval, to impose an additional transactions and use tax.
Status: Chapter 580, Statutes of 2015

WATER

AB 1 (Brown) Drought: local governments: fines.
Prohibits a city or county from imposing a fine for a brown lawn or failure to water a lawn during a period for which the Governor has issued a state of emergency due to drought conditions.
Status: Chapter 62, Statutes of 2015

AB 541 (Dahle) Big Valley Watermaster District Act.
Would create the Big Valley Watermaster District and establish the boundaries, governing body, and powers and duties of the District. **Status: Referred to Assembly Local Government Committee.**

AB 656 (C. Garcia) Joint powers agreements: mutual water companies.
Allows a mutual water company and a public agency to enter into a joint powers agreement for the provision of insurance and risk-pooling.
Status: Chapter 250, Statutes of 2015

AB 727 (Wilk) Castaic Lake Water Agency.
Would make a number of changes to the Castaic Lake Water Agency (CLWA) Law, and to CLWA's contracting authority under the Public Contract Code. **Status: Referred to Assembly Committees on Local Government and Utilities and Commerce.**

AB 1077 (Holden) Mutual water companies: open meetings.
Makes a number of changes to the Mutual Water Company Open Meeting Act.
Status: Chapter 669, Statutes of 2015

*Denotes a bill that was amended and subsequently used for another purpose.

AB 1164 (Gatto) Water conservation: drought tolerant landscaping.
Prohibits cities and counties from enacting or enforcing any ordinance or regulation that prohibits the installation of drought tolerant landscaping, synthetic grass, or artificial turf on residential property.
Status: Chapter 671, Statutes of 2015

AB 1340 (Chau) Local government: sale of water utility property.
Would authorize the City of Montebello to sell its water utility, until July 1, 2017, pursuant to the process in existing law for cities to dispose of city-owned property. **Status: In Assembly Local Government Committee.**

SB 485 (Hernández) County of Los Angeles: sanitation districts.
Authorizes the Los Angeles County Sanitation Districts to acquire, construct, operate, maintain, and furnish facilities to divert, manage, and treat stormwater and dry weather runoff.
Status: Chapter 678, Statutes of 2015

SB 789 (Wieckowski) Sale of water by local public entities: excise tax.
Would authorize a local public entity that supplies water at retail or wholesale to impose an excise tax on an excessive user of water at a specified rate, subject to two-thirds voter approval, and would require the revenue to be equally distributed between the local public entity and the State Water Resources Control Board. **Status: Referred to Assembly Committees on Local Government and Revenue and Taxation. In Local Government Committee: Heard for testimony only.**

*Denotes a bill that was amended and subsequently used for another purpose.

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[AB 115](#) (Committee on Budget) Water.

Current Text: Amended: 6/18/2015 [pdf](#) [html](#)

Introduced: 1/9/2015

Last Amended: 6/18/2015

Status: 9/11/2015-Ordered to inactive file at the request of Senator Mitchell.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the State Water Resources Control Board to order consolidation with a receiving water system where a public water system, or a state small water system within a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water. This bill would authorize the state board to order the extension of service to an area that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation for consolidation.

Position: Oppose

Subject: Disadvantaged Communities, LAFCo Administration, Special District Consolidations, Water

CALAFCO Comments: This bill is the same as SB 88. As amended, AB 115 gives the State Water Resources Control Board (SWRCB) direct authority to mandate either an extension of service or consolidation of water systems, including public and private systems, and individual wells. The bill focuses on disadvantage communities. Prior to ordering the consolidation, the SWRCB must make certain determinations and take certain actions, including conducting a public hearing in the affected territory. They are also required to "consult with and fully consider input from the relevant LAFCo, the PUC, and either the city or county (whichever has land use authority). Entities are allowed 6 months to find workable solutions before the SWRCB mandates the action. Prior to making the order, the SWRCB must make certain determinations. Upon making the order, the SWRCB must make funding available to the receiving water system for capacity building (no operations and maintenance funding is provided, adequately compensate the subsumed system, pay fees to the LAFCo for whatever work they will do (which is as of now undefined) to facilitate the action. The bill also contains certain CEQA exemptions and liability relief for the subsuming water entity, as well as various penalties. Finally, the bill makes legislative findings and declarations as to the reason for the SWRCB to have these powers, which has been taken directly from the legislative findings and declarations of CKH and the reason LAFCOs have the powers they do.

CALAFCO has attempted to work with the administration for some time in defining the best possible process for these actions. However, for the most part, amendments proposed have been dismissed. CALAFCO has a number of concerns regarding the proposed process, not the least of which is the language in section 116682 (g) (the way it is worded now, it exempts the entire consolidation process and there is a legal argument that this would divest LAFCO of any authority to complete the consolidation since that authority is solely contained in CKH). Further, we requested indemnification for LAFCo as they implement section 11682(e)(4) which was also dismissed.

[AB 402](#) (Dodd D) Local agency services: contracts.

Current Text: Chaptered: 10/2/2015 [pdf](#) [html](#)

Introduced: 2/19/2015

Last Amended: 8/26/2015

Status: 10/2/2015-Chaptered by Secretary of State - Chapter 431, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would establish a pilot program, until January 1, 2021, for the Napa and San Bernardino commissions that would permit those commissions to authorize a city or district to provide new or extended services outside both its jurisdictional boundaries and its sphere of influence under specified circumstances. This bill contains other related provisions.

Position: None at this time

Subject: CKH General Procedures, LAFCo Administration, Service Reviews/Spheres

CALAFCO Comments: This bill creates a 5 year pilot opportunity for Napa and San Bernardino LAFCo Commissions to authorize an extension of services outside boundaries and spheres to support existing or planned uses pending the commission's determination that (1) a service deficiency was identified and evaluated in a MSR; AND (2) the extension of services will not result in adverse impacts on open space or ag lands or have growth inducing impacts.

CALAFCO previously considered (over an extensive period of time) amending GC §56133, and twice (in 2011 and again in 2013) the CALAFCO Board of Directors decided not to pursue those amendments. This is not a CALAFCO sponsored bill. Assembly member Dodd is a former Napa LAFCo Commissioner.

AB 448 (Brown D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Current Text: Introduced: 2/23/2015 [pdf](#) [html](#)

Introduced: 2/23/2015

Status: 8/27/2015-In committee: Held under submission.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction shall be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. This bill would modify these reduction and transfer provisions, for the 2015-16 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Attachments:

[CALAFCO Support Letter March 2015](#)

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: As introduced, this bill is identical to AB 1521 (Fox) from last year. This bill reinstates the VLF payment (through ERAF) and changes the way that the growth in the VLF adjustment amount (property tax in lieu of VLF) is calculated starting in FY 2015-16 to include the growth of assessed valuation, including in an annexed area, from FY 2004-05 to FY 2015-16. Beginning in FY 2016-17, the VLF adjustment amount would be the jurisdiction's annual change in the assessed valuation

AB 851 (Mayes R) Local government: organization: disincorporations.

Current Text: Chaptered: 9/21/2015 [pdf](#) [html](#)

Introduced: 2/26/2015

Last Amended: 8/18/2015

Status: 9/21/2015-Chaptered by Secretary of State - Chapter 304, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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1st House	2nd House	Conc.
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Summary:

Current law authorizes a local agency which is conducting proceedings for the incorporation of a city, formation of a district, change of organization, a reorganization, a change of organization of a city, or a municipal reorganization to propose the adoption of a special tax on behalf of the affected city or district in accordance with this procedure. This bill would additionally authorize a local agency conducting proceedings for the disincorporation of a city to propose the adoption of a special tax on behalf of an affected city in accordance with the above-described procedure.

Attachments:

- [CALAFCO Letter Requesting Governor Signature](#)
- [CALAFCO Support_Mar 2015](#)

Position: Sponsor

Subject: CKH General Procedures, Disincorporation/dissolution

CALAFCO Comments: Sponsored by CALAFCO. As amended, this bill addresses the long-outdated statutes relating to disincorporation. Although many other areas of CKH have been updated over the past 52 years, the areas pertaining to disincorporations remain in their original format as written in 1963.

This bill does the following: (1) Clarifies the expectation for assignment of responsibility for debt that will continue in existence after disincorporation; (2) Establishes the parameters and requirements for the submission of the Plan for Service for a disincorporation proposal which outlines existing services, the proponent's plan for the future of those services, and whether or not a bankruptcy proceeding has been undertaken; (3) Establishes the responsibilities of LAFCOs in preparing a Comprehensive Fiscal Analysis for disincorporations, the determination of the transfer of property tax revenues previously received by the proposed disincorporating City, and the determination of the transfer of debt to a successor agency or agencies. Further, the bill retains LAFCOs existing authority to impose terms and conditions on a proposed disincorporation as well as the election requirements necessary for approval of disincorporation. The proposed disincorporation statutory changes use the incorporation provisions as a template to propose changes in the disincorporation process.

AB 1532 (Committee on Local Government) Local government: omnibus.

Current Text: Chaptered: 7/15/2015 [pdf](#) [html](#)

Introduced: 3/23/2015

Last Amended: 5/22/2015

Status: 7/15/2015-Chaptered by Secretary of State - Chapter 114, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, requires a local agency formation commission to notify specified state agencies having oversight or regulatory responsibility over, or a contractual relationship with, a local health care district when a proposal is made for any of specified changes of organization affecting that district. This bill would update obsolete references to a "hospital" district and replace outdated references to the State Department of Health Services with references to the State Department of Public Health and the State Department of Health Care Services.

Attachments:

- [CALAFCO Letter Requesting Governor Signature](#)
- [CALAFCO Support Letter_March 2015](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual Omnibus bill for the Cortese-Knox-Hertzberg Reorganization Act of 2000. This bill makes nonsubstantive technical clean-up corrections to the Act.

SB 25 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Vetoed: 9/22/2015 [pdf](#) [html](#)

Introduced: 12/1/2014

Last Amended: 8/28/2015

Status: 9/22/2015-Vetoed by the Governor

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would modify specified reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2014-15 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill contains other related provisions and other existing laws.

Attachments:

[CALAFCO Letter to Governor Requesting Signature](#)

[CALAFCO Support March 2015](#)

Position: Support

Subject: Financial Viability of Agencies

CALAFCO Comments: Identical to SB 69 (Roth) from 2014, the bill calls for reinstatement of the VLF through ERAF for cities that incorporated between January 1, 2004 and January 1, 2012. There are no provisions for back payments for lost revenue, but the bill does reinstate future payments beginning in the 2014/15 year for cities that incorporated between 1-1-2004 and 1-1-2012.

SB 88 (Committee on Budget and Fiscal Review) Water.

Current Text: Chaptered: 6/24/2015 [pdf](#) [html](#)

Introduced: 1/9/2015

Last Amended: 6/17/2015

Status: 6/24/2015-Chaptered by Secretary of State - Chapter 27, Statutes of 2015

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the State Water Resources Control Board to order consolidation with a receiving water system where a public water system, or a state small water system within a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water. This bill would authorize the state board to order the extension of service to an area that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation for consolidation.

Position: Oppose

Subject: Disadvantaged Communities, LAFCo Administration, Special District Consolidations, Water

CALAFCO Comments: This bill is the same as AB 115. As amended, SB 88 gives the State Water Resources Control Board (SWRCB) direct authority to mandate either an extension of service or consolidation of water systems, including public and private systems, and individual wells. The bill focuses on disadvantage communities. Prior to ordering the consolidation, the SWRCB must make certain determinations and take certain actions, including conducting a public hearing in the affected territory. They are also required to "consult with and fully consider input from the relevant LAFCo, the PUC, and either the city or county (whichever has land use authority). Entities are allowed 6 months to find workable solutions before the SWRCB mandates the action. Prior to making the order, the SWRCB must make certain determinations. Upon making the order, the SWRCB must make funding available to the receiving water system for capacity building (no operations and maintenance funding is provided, adequately

compensate the subsumed system, pay fees to the LAFCo for whatever work they will do (which is as of now undefined) to facilitate the action. The bill also contains certain CEQA exemptions and liability relief for the subsuming water entity, as well as various penalties. Finally, the bill makes legislative findings and declarations as to the reason for the SWRCB to have these powers, which has been taken directly from the legislative findings and declarations of CKH and the reason LAFCos have the powers they do.

CALAFCO has attempted to work with the administration for some time in defining the best possible process for these actions. However, for the most part, amendments proposed have been dismissed. CALAFCO has a number of concerns regarding the proposed process, not the least of which is the language in section 116682 (g) (the way it is worded now, it exempts the entire consolidation process and there is a legal argument that this would divest LAFCO of any authority to complete the consolidation since that authority is solely contained in CKH). Further, we requested indemnification for LAFCo as they implement section 11682(e)(4) which was also dismissed.

SB 239 (Hertzberg D) Local services: contracts: fire protection services.

Current Text: Chaptered: 10/10/2015 [pdf](#) [html](#)

Introduced: 2/17/2015

Last Amended: 9/2/2015

Status: 10/10/2015-Chaptered by Secretary of State - Chapter 763, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, with certain exceptions, permit a public agency to exercise new or extended services outside the public agency's jurisdictional boundaries pursuant to a fire protection contract, as defined, only if the public agency receives written approval from the local agency formation commission in the affected county. This bill contains other related provisions and other existing laws.

Attachments:

- [CALAFCO Removal of Opposition to No Position Letter](#)
- [CALAFCO OpposeLetter_April 2015](#)

Position: None at this time

Subject: CKH General Procedures, Municipal Services

CALAFCO Comments: As amended this bill sets forth requirements for the application of service extensions relating to fire protection services. The bill calls for a Fire Protection Contract to be submitted with the application. This is required for applications that (1) Transfer greater than 25% of the service area or (2) Changes the employment status of more than 25% of employees of any affected agencies. Prior to submitting the application for service extension, all affected agency employee unions must approve the request and conduct a public hearing; or, provide at least 30 days notice of the public hearing with such notice being sent to each affected public agency and all affected employee unions and shall include a copy of the proposed agreement. The bill requires contents of the Contract Plan to include: (1) Cost of providing services to be extended; (2) Cost to customers; (3) an ID of existing service providers; (4) Financing plan; (5) Alternatives to the extension; (6) Enumeration and description of services proposed; (7) level and range of services proposed; (8) Timeline for services to be provided; and (9) improvements or upgrades that would be imposed or required to provide services. Further, it requires a comprehensive Fiscal Analysis to be conducted. The bill also outlines determinations the commission must make that include the provider of services for the extension of service will build a "reasonable reserve" during the three years following the effective date of the contract.

The bill sets several precedents. First, it requires a California state agency to apply for, and request LAFCo approval prior to undertaking an action that involves the provision of services outside of a public agency's current service area under contract or agreement. Further, the >25% threshold that triggers this kind of scrutiny appears to be an arbitrary threshold with no data to support it. Next, LAFCos currently have exempted the review

and approval of contracts or agreements between two public agencies - this bill would change that provision in certain circumstances. Finally, the bill addresses only one type of service provider, which fails to address the question of why the provision of fire protection services, by contract or agreement, outside of a public agency's boundaries, requires a different level of review than other types of equally vital services or demands a heightened or weighted review from any commenter or affected agency.

Many of CALAFCO's concerns have been removed by amendments, however there are some that remain as noted above. At question for CALAFCO members is whether or not the LAFCo should be reviewing and/or approving contracts/agreements between two public agencies, which is a question for which CALAFCO has received divergent positions. As a result, CALAFCO removed our opposition and took a No Position on the bill.

SB 272 (Hertzberg D) The California Public Records Act: local agencies: inventory.

Current Text: Chaptered: 10/11/2015 [pdf](#) [html](#)

Introduced: 2/19/2015

Last Amended: 9/2/2015

Status: 10/11/2015-Chaptered by Secretary of State - Chapter 795, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require each local agency, except a local educational agency, in implementing the California Public Records Act, to create a catalog of enterprise systems, as defined, to make the catalog publicly available upon request in the office of the person or officer designated by the agency's legislative body, and to post the catalog on the local agency's Internet Web site.

Position: Watch

Subject: LAFCo Administration, Public Records Act

CALAFCO Comments: As amended, this bill requires all local agencies (including LAFCo) to create a catalogue of enterprise systems used by that agency and make that catalogue available to the public. For purposes of the bill, the author defines enterprise systems as a software application or computer system that collects, stores, exchanges, and analyzes information that the agency uses that is both: (1) is a multi-departmental system or system containing information collected about the public; AND (2) a system of record for that agency. Further, the bill defines a system of record as a system that serves as an original source of data within an agency. The bill requires certain pieces of information be disclosed including (1) Current system vendor; (2) Current system product; (3) A brief statement of the system's purpose; (4) A general description of categories, modules, or layers of data; (5) The department that serves as the system's primary custodian; (6) How frequently system data is collected; and (7) How frequently system data is updated. Excluded are 911 systems and other public safety systems.

SB 552 (Wolk D) Public water systems: disadvantaged communities: consolidation or extension of service.

Current Text: Amended: 7/7/2015 [pdf](#) [html](#)

Introduced: 2/26/2015

Last Amended: 7/7/2015

Status: 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10). (Last location was RLS. on 7/9/2015)

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, for purposes of the California Safe Drinking Water Act, defines "disadvantaged community" to mean a disadvantaged community that is in an unincorporated area or is served by a mutual water company. This bill would allow a community to be a "disadvantaged community" if the community is in a mobilehome park even if it is not in an unincorporated area or served by a mutual water company.

Position: Watch

Subject: Disadvantaged Communities, Water

CALAFCO Comments: This bill is being amended as a vehicle to clean-up the water consolidation legislation [passed through as a budget trailer bill, SB 88/AB 115.

AB 3 (Williams D) Isla Vista Community Services District.

Current Text: Chaptered: 10/7/2015 [pdf](#) [html](#)

Introduced: 12/1/2014

Last Amended: 9/9/2015

Status: 10/7/2015-Chaptered by Secretary of State - Chapter 548, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the establishment of the Isla Vista Community Services District by requiring the Board of Supervisors of the County of Santa Barbara to submit a resolution of application to the Santa Barbara County Local Agency Formation Commission, and, upon direction by the commission, place the questions of whether the district should be established and whether a utility user tax should be imposed on the ballot at the next countywide election following the completion of the review by the commission. By imposing new duties on the County of Santa Barbara, this bill would impose a state-mandated local program.

Attachments:

[CALAFCO Oppose Unless Amended Letter April 2015](#)

[CALAFCO Letter of Concern Dec 2014](#)

Position: Oppose unless amended

Subject: LAFCo Administration, Special District Powers

CALAFCO Comments: As amended the bill requires the Santa Barbara Board of Supervisors (BOS) on or before 1/5/16 to file a resolution of application with the Santa Barbara LAFCO to initiate a comprehensive review of the formation of the Isla Vista CSD. The LAFCO will not have the authority to make a final determination as to whether or not the CSD should be formed, but rather only make recommendations as to its formation. (This differs from the last version of the bill which did not include the LAFCO at all.) The final authority of whether or not the district shall be formed will stay with the voters. The bill requires the BOS to pay the appropriate fees for the LAFCO review and recommendations. Further, the bill requires the LAFCO to complete the review and make recommendations within 150 days of the filing of the resolution of application. Finally, because the people are voting on the establishment of the CSD, protest proceedings are being waived.

The bill also requires the BOS to place the formation question on the first ballot after LAFCO completes the review, and should the district be formed, the BOS shall then call for a vote on the funding of the district. Setting a precedent, the bill is calling for a utility user tax to fund the district, which shall be determined by 1/1/23. The bill also calls out the special governing structure of the district board, the boundaries of the proposed CSD and the authorities of the CSD.

AB 707 (Wood D) Agricultural land: Williamson Act contracts: cancellation.

Current Text: Chaptered: 10/8/2015 [pdf](#) [html](#)

Introduced: 2/25/2015

Last Amended: 8/24/2015

Status: 10/8/2015-Chaptered by Secretary of State - Chapter 631, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law provides for the procedure to cancel a contract entered into under specified

provisions of the Williamson Act, and provides that the landowner and the Department of Conservation may agree on the cancellation value of the land. This bill would require the department to provide a preliminary valuation of the land to the county assessor and the city council or board of supervisors at least 60 days prior to the effective date of the agreed upon cancellation valuation if the contract includes an additional cancellation fee, as specified.

Position: Watch

Subject: Ag Preservation - Williamson

CALAFCO Comments: As written, this bill repeals the provision that allows cancellation of the valuation of the land.

3

[AB 168](#) ([Maienschein R](#)) Local government finance.

Current Text: Introduced: 1/22/2015 [pdf](#) [html](#)

Introduced: 1/22/2015

Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 1/22/2015)

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the county auditor, in the case in which a qualifying city becomes the successor agency to a special district as a result of a merger with that district as described in a specified statute, to additionally allocate to that successor qualifying city that amount of property tax revenue that otherwise would have been allocated to that special district pursuant to general allocation requirements. This bill would make nonsubstantive changes to the provision pertaining to property tax revenue allocations to a qualifying city that merges with a special district.

Position: Placeholder - monitor

Subject: Tax Allocation

[AB 369](#) ([Steinorth R](#)) Local government.

Current Text: Introduced: 2/17/2015 [pdf](#) [html](#)

Introduced: 2/17/2015

Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2015)

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Planning and Zoning Law establishes in each city and county a planning agency with the powers necessary to carry out the purposes of that law. Current law sets forth the Legislature's findings and declarations regarding the availability of affordable housing throughout the state. This bill would make nonsubstantive changes to those findings and declarations.

Position: Placeholder - monitor

[AB 541](#) ([Dahle R](#)) Big Valley Watermaster District Act.

Current Text: Introduced: 2/23/2015 [pdf](#) [html](#)

Introduced: 2/23/2015

Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/5/2015)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would create a watermaster district with unspecified boundaries within the Counties of Lassen and Modoc to be known as the Big Valley Watermaster District. The bill would generally specify the powers and purposes of the district. The bill would prescribe the composition of the board of directors of the district. The bill would require the district to provide watermaster service on behalf of water right holders whose place of use under an appointed decree, as defined, is a parcel of real property within the district.

Position: Watch

Subject: LAFCo Administration, Special District Powers, Water

[AB 568](#) (Dodd D) Reclamation District No. 108: hydroelectric power.

Current Text: Chaptered: 8/7/2015 [pdf](#) [html](#)

Introduced: 2/24/2015

Last Amended: 5/14/2015

Status: 8/7/2015-Chaptered by Secretary of State - Chapter 134, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes Reclamation District No. 1004, in conjunction with the County of Colusa, to construct, maintain, and operate a plant, transmission lines, and other necessary or appropriate facilities for the generation of hydroelectric power, as prescribed. Current law requires proceeds from the sale of electricity to be utilized to retire any time warrants issued for construction of the facilities and otherwise for the powers and purposes for which the district was formed. This bill would grant the above-described hydroelectric power authority to Reclamation District No. 108 until January 1, 2021.

Position: Watch

Subject: Special District Powers

[AB 656](#) (Garcia, Cristina D) Joint powers agreements: mutual water companies.

Current Text: Chaptered: 9/3/2015 [pdf](#) [html](#)

Introduced: 2/24/2015

Last Amended: 6/22/2015

Status: 9/3/2015-Chaptered by Secretary of State - Chapter 250, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would specifically authorize a mutual water company and a public agency to participate in joint powers agreement for the provision of insurance and risk-pooling, technical support, and other similar services for the purpose of reducing risk liability, as specified.

Position: Watch

Subject: Other

CALAFCO Comments: As amended, the bill gives the ability for a mutual water company to enter into a joint powers agreement with a public water agency for the purposes of either risk-pooling or the provision of technical support, continuing education, safety engineering, operational and managerial advisory assistance to be provided to the members of that joint powers agency.

[SB 13](#) (Pavley D) Groundwater.

Current Text: Chaptered: 9/3/2015 [pdf](#) [html](#)

Introduced: 12/1/2014

Last Amended: 7/6/2015

Status: 9/3/2015-Chaptered by Secretary of State - Chapter 255, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would specify that the State Water Resources Control Board is authorized to designate a high- or medium-priority basin as a probationary basin. This bill would provide a local agency or groundwater sustainability agency 90 or 180 days, as prescribed, to remedy certain deficiencies that caused the board to designate the basin as a probationary basin. This bill would authorize the board to develop an interim plan for certain probationary basins one year after the designation of the basin as a probationary basin.

Position: Watch

Subject: Water

CALAFCO Comments: While this bill has no direct affect on LAFCoS, the formation of groundwater management agencies and groundwater management is of interest, therefore CALAFCO will watch the bill.

SB 181 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 6/1/2015 [pdf](#) [html](#)

Introduced: 2/9/2015

Status: 6/1/2015-Chaptered by Secretary of State - Chapter No. 4, Statutes of 2015

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2015, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[CALAFCO Letter of Support Mar 2015](#)

Position: Support

Subject: Other

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

SB 182 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 9/3/2015 [pdf](#) [html](#)

Introduced: 2/9/2015

Status: 9/3/2015-Chaptered by Secretary of State - Chapter 256, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Second Validating Act of 2015, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[CALAFCO Letter of Support Mar 2015](#)

Position: Support

Subject: Other

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

SB 183 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/2/2015 [pdf](#) [html](#)

Introduced: 2/9/2015

Status: 7/2/2015-Chaptered by Secretary of State - Chapter 45, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Third Validating Act of 2015, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities,

and specified districts, agencies, and entities.

Attachments:

[CALAFCO Letter of Support_Mar 2015](#)

Position: Support

Subject: Other

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

[SB 184](#) (Committee on Governance and Finance) Local government: omnibus bill.

Current Text: Chaptered: 9/4/2015 [pdf](#) [html](#)

Introduced: 2/9/2015

Last Amended: 6/15/2015

Status: 9/4/2015-Chaptered by Secretary of State. Chapter 269, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes specified local entities, including cities, counties, special districts, and other authorized public corporations, to collect fees, tolls, rates, rentals, or other charges for water, sanitation, storm drainage, or sewerage system services and facilities. Under current law, a local entity may collect these charges on the property tax roll at the same time and in the same manner as its general property taxes, but is required to file a report on these collected charges. Current law requires the clerk or secretary to annually file the report with the auditor. This bill would define "clerk" to mean the clerk of the legislative body or secretary of the entity.

Position: Watch

Subject: Other

CALAFCO Comments: This bill is the Senate Governance & Finance Committee's annual Omnibus bill. This bill is intended to make technical, non-substantive changes to the Government Code outside of CKH.

[SB 226](#) (Pavley D) Sustainable Groundwater Management Act: groundwater adjudication.

Current Text: Chaptered: 10/9/2015 [pdf](#) [html](#)

Introduced: 2/13/2015

Last Amended: 9/3/2015

Status: 10/9/2015-Chaptered by Secretary of State - Chapter 676, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes a court to order a reference to the State Water Resources Control Board, as referee, of any and all issues involved in a suit brought in any court of competent jurisdiction in this state for determination of rights to water. This bill would authorize the state to intervene in a comprehensive adjudication conducted as specified in AB 1390 of the 2015- 16 Regular Session. This bill contains other related provisions and other existing laws.

Position: None at this time

Subject: Water

CALAFCO Comments: As amended this bill addresses groundwater rights and is a follow up to the 2014 groundwater legislative package.

[SB 393](#) (Nguyen R) Local agencies.

Current Text: Introduced: 2/25/2015 [pdf](#) [html](#)

Introduced: 2/25/2015

Status: 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/5/2015)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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1st House	2nd House	Conc.
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Summary:

Current law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would make technical, nonsubstantive changes to the above-described law.

Position: Placeholder - monitor

Subject: CKH General Procedures

CALAFCO Comments: This is a spot bill.

[SB 422](#) ([Monning D](#)) Santa Clara Valley Open-Space Authority.

Current Text: Chaptered: 7/15/2015 [pdf](#) [html](#)

Introduced: 2/25/2015

Last Amended: 6/18/2015

Status: 7/15/2015-Chaptered by Secretary of State - Chapter 99, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the Santa Clara County Open-Space Authority to acquire, but not to take by eminent domain, interests in real property that are without the authority's jurisdiction, necessary to the full exercise of its powers. The bill would also authorize the authority's boundaries to be altered by the annexation of contiguous territory, in the unincorporated area of a neighboring county, as provided. The bill would change the name of the authority to the Santa Clara Valley Open-Space Authority and make conforming changes.

Subject: Special District Powers

[SB 485](#) ([Hernandez D](#)) County of Los Angeles: sanitation districts.

Current Text: Chaptered: 10/9/2015 [pdf](#) [html](#)

Introduced: 2/26/2015

Last Amended: 8/27/2015

Status: 10/9/2015-Chaptered by Secretary of State - Chapter 678, Statutes of 2015.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize specified sanitation districts in the County of Los Angeles to acquire, construct, operate, maintain, and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff, the discharge of the water to the stormwater drainage system, and the beneficial use of the water. This bill contains other related provisions.

Subject: Special District Powers

Total Measures: 26

Total Tracking Forms: 26

12/2/2015 8:56:56 AM



December 9, 2015
Agenda Item 9

AGENDA

RETIREMENT BOARD MEETING

SECOND MONTHLY MEETING
November 24, 2015
9:00 a.m.

Retirement Board Conference Room
The Willows Office Park
1355 Willow Way, Suite 221
Concord, California

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Accept comments from the public.

CLOSED SESSION

3. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency designated representatives:
Gail Strohl, Retirement Chief Executive Officer
Christina Dunn, Retirement Admin/HR Manager
Joe Wiley, CCCERA's Chief Negotiator

Employee Organization: AFSCME Local 2700
Unrepresented Employees: All CCCERA unrepresented positions
4. The Board will go into closed session under Govt. Code Section 54956.81 to consider the sale of a particular pension fund investment.
5. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:
 - a. *Pearson v. Rodeo-Hercules Fire Protection District*, Contra Costa County Superior Court, Case No.: MSN14-1137.
 - b. *Board of Retirement v. Rodeo-Hercules Fire Protection District, et al.*, Contra Costa County Superior Court, Case No.: N15-1906.

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

OPEN SESSION

6. Presentation from staff and Ocean Avenue regarding proposed Ocean Avenue Fund III commitment.
7. Consider and take possible action to commit to Ocean Avenue Fund III.
8. Review of total portfolio performance for period ending June 30, 2015.
9. Review of Watch List.
 - a. Consider and take possible action to add or remove managers from the Watch List.
10. Consider and take possible action to retain Andrews Kurth LLP.
11. Consider and take possible action on Board meeting schedule for 2016.
12. Consider authorizing the attendance of Board and/or staff:
 - a. NCPERS Legislative Conference, NCPERS, January 24-26, 2016, Washington, DC.
13. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



AGENDA

RETIREMENT BOARD
AUDIT COMMITTEE MEETING

November 24, 2015

Retirement Board Conference Room

The Willows Office Park

1355 Willow Way, Suite 221

Concord, California

10:30 a.m. or

after the Retirement Board meeting adjourns

THE AUDIT COMMITTEE MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Approve minutes from the July 23, 2015 Audit Committee meeting.
2. Comparative discussion on internal auditor – in-house vs. ad hoc contract model.
3. Consider and take possible action to approve the 2016 Compliance Activity Plan.
4. Discussion of the 2015 Audit – Advance Coordination and Planning.
5. Status Updates

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.



AGENDA

RETIREMENT BOARD MEETING

SPECIAL MEETING
December 2, 2015
9:00 a.m.

Retirement Board Conference Room
The Willows Office Park
1355 Willow Way, Suite 221
Concord, California

THE RETIREMENT BOARD MAY DISCUSS AND TAKE ACTION ON THE FOLLOWING:

1. Pledge of Allegiance.
2. Accept comments from the public.

CLOSED SESSION

3. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)

Agency designated representatives:
Gail Strohl, Retirement Chief Executive Officer
Christina Dunn, Retirement Admin/HR Manager
Joe Wiley, CCCERA's Chief Negotiator

Unrepresented Employees: All CCCERA unrepresented positions

4. CONFERENCE WITH LABOR NEGOTIATOR
(Government Code Section 54957.6)

Agency designated representative:
Joe Wiley, CCCERA's Chief Negotiator

Unrepresented Employee: Chief Executive Officer

5. The Board will go into closed session under Govt. Code Section 54956.81 to consider the sale of a particular pension fund investment.
6. The Board will continue in closed session pursuant to Govt. Code Section 54956.9(d)(1) to confer with legal counsel regarding pending litigation:

Montgomery v. Montgomery, Solano County Superior Court, Case No. FFL 128451

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

OPEN SESSION

7. Presentation from Koff and Associates regarding classification and total compensation report.
8. Consider and take possible action to adopt Koff and Associates recommended classification and salary adjustments.
9. Presentation from Verus Consulting presentation regarding final asset allocation selections.
10. Consider and take possible action to adopt a new asset allocation strategy.
11. Miscellaneous
 - a. Staff Report
 - b. Outside Professionals' Report
 - c. Trustees' comments

The Retirement Board will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Retirement Office at least 24 hours before a meeting.

News from the Board of Directors

CALAFCO QUARTERLY

December 9, 2015
Agenda Item 11a

November 2015



CALAFCO Board 2016 Committees

At their November 13 meeting, the CALAFCO Board appointed members to the 2016 standing committees as follows:

Legislative Committee

Jim Curatalo (South)
Shiva Frentzen (Central)
William Kirby (At-Large)
John Leopold (Coastal)
Mike McGill (At-Large)
Ricky Samayoa (North)

Nominations Committee

Bill Connelly
James Curatalo (Chair)
John Marchand
Anita Paque

Awards Committee

Cheryl Brothers
Larry Duncan (Chair)
Michael Kelley
William Kirby
John Leopold

Gay Jones (a) (Central)
Michael Kelley (a) (South)
Anita Paque (a) (At-Large)
Sblend Sblendorio (a) (Coastal)
Josh Susman (a) (North)

2016 Annual Conference

Gay Jones
Gerard McCallum
Sblend Sblendorio (Chair)
Josh Susman

Conferences and Workshops Update

2015 ANNUAL CONFERENCE A SUCCESS



A final Conference report was provided to the Board on November 13. Participant evaluations rated the overall experience a 5.2 out of 6.0, and there was an evaluation return rate of approximately 38%, which is the highest ever received. Financially,

the Conference was successful in that revenues slightly exceeded budget and expenses were lower than budgeted. Overall, it appears a net profit of approximately 34% was earned, which exceeds the Association's policy of 15%. This year, \$18,738 was received in Conference Sponsorships.

Total attendance was 252 registrants with 11 guests and 17 guest speakers, for a total of 280. CALAFCO wishes to once again thank our Conference host, **Sacramento LAFCo**, and program committee chair **David Church**, along with everyone who helped to plan and execute this year's Annual Conference. All Conference materials are posted on the CALAFCO website.

2016 STAFF WORKSHOP

Plans are underway for the 2016 Staff Workshop. Our host this year is **Los Angeles LAFCo** and we will be at the Hilton Universal City. The Workshop is set for March 30 - April 1. The theme is **JEOPARDY: What is the Evolving Role of LAFCo?** A special Mobile Workshop panel and tour is planned at Universal Studios to learn about the NBC Universal Evolution Plan, Alt. No. 10: No Residential Alternative, and the program planning committee and host LAFCo are planning a fun

surprise for our luncheon and dinner entertainment! Look for program and registration details coming soon.

2016 ANNUAL CONFERENCE

The program planning committee is being formed to begin planning the program for the next Annual Conference. The dates are **October 26 - 28, 2016**. We will be hosted by the **Santa Barbara LAFCo** and will be at the Fess Parker DoubleTree by Hilton. Planning for this conference will get underway shortly.

CALAFCO U Update

The final CALAFCO U for 2015 was held in Sacramento on November 9. The topic was **Implementing SB 88 - Water System Consolidations: What Does It Mean For LAFCo?** Panelists included staff from the State Water Resources Control Board (SWRCB) and the Governor's Office of Planning and Research (OPR). After hearing about the functions of the SWRCB, an overview of SB 88 and how the SWRCB plans to implement the legislation, attendees had an opportunity, in small group discussions, to provide the panel feedback on potential issues, how we see LAFCo involved in the implementation, and what would be needed in order to make that work. This information is being collated and will be presented back to the SWRCB and OPR, and used by CALAFCO to work on clean-up legislation this coming year. There were a total of 34 people in attendance. Initial evaluation results indicate the session was very well received.



CALAFCO Board Actions

The Board met on November 13 and took the following administrative actions:



- ◆ Made Board Committee appointments as noted above;
- ◆ Received and filed the 1st Quarter financial reports indicating the Association continues to be in strong fiscal health;
- ◆ Renewed the contract of CALAFCO's Administrator Jeni Tickler for another three years;
- ◆ Renewed the Executive Director's contract for three years, and approved the change in compensation to account for an average of 32/hrs. week as part of that contract renewal (as previously approved by the Board and reported to the membership);
- ◆ Adopted a revised FY 2015-16 budget based on all of the Board's organizational changes made at their July 31 meeting;
- ◆ Approved the recommended 2016 Legislative Committee staff appointments;
- ◆ Reviewed the Association's current Legislative Policies, which resulted in no recommendations for potential changes; and



- Received the request for consideration of a CALAFCO Code of Ethics Policy, and supported the idea of a subcommittee creating a draft policy for the Board's review and consideration at their February 2016 meeting.

CALAFCO Legislative Update

2016 will be the second year of the two-year legislative cycle. The Legislative Committee (Committee) held its first meeting via conference call November 6 with the first in-person meeting set for December 11 in Sacramento. While the legislature is currently out of session, there is a lot of work going on behind the scenes.



During the legislative recess, CALAFCO's work with OPR and the SWRCB continues. OPR has been holding a series of land use and water workshops along with rural communities workshops, planning six across the state over the past two months or so. While attendance to these workshops is by OPR invitation only, CALAFCO has ensured at least one LAFCo has been present at each one.

CALAFCO conducted a two-part series of LAFCO 101 in the Capitol for legislative staff the first two weeks of November. While attendance was lower than anticipated, those that did attend took away an enlightened understanding of LAFCo authority.

During their November meeting, the Board took a great deal of time deliberating the Legislative Committee's feedback of potential legislative priorities for 2016 during their November 13 meeting. The outcome of those deliberations was a general consensus of the priorities for 2016 which will be reported back to the Legislative Committee during their December 11 meeting. Those priorities include maintaining a focus on potential legislation to strengthen the relations between LAFCos and JPAs, limiting the number of items that are contained within the 2016 annual Omnibus bill, and focusing efforts in participating in (but not sponsoring) legislation to clean up SB 88. The Board further restated their intention to sponsor legislation on amending Protest Provisions, with the focus as a priority for the 2017-2018 legislative session (rather than in 2016). The Board acknowledged other priorities are not able to be considered at this time due to CALAFCO's resource limitations.

A full detailed legislative tracking report can be found on the CALAFCO website in the Members Only section.



CALAFCO Associate Members' Corner

This section highlights our Associate Members. The information below is provided to CALAFCO by the Associate member upon joining the Association. All Associate member information can be found in the CALAFCO Member Directory.



Earlier this year CALAFCO highlighted three of our Gold Associate Members. In this edition we highlight the rest of our current Gold Associate Members.



Meyers Nave

Meyers Nave is a law firm dedicated to providing California's public agencies both general counsel and specialized services in matters involving land use, annexations, incorporations, labor and employment, Brown Act, telecommunications, eminent domain and other critical areas. **Meyers Nave** has been a Gold Associate Member since February 2006. Learn more about **Meyers Nave** at www.meyersnave.com.



Project Resource Specialists

Project Resource Specialists provides management and legislative support to all levels of local government including LAFCo for Municipal Service reviews, agency organization and project management support. Beginning as a Silver Associate Member in May 2007, they became a Gold Associate Member in July 2014. Learn more about Project Resource Specialists by emailing them at ehrichprs@gmail.com.



CALAFCO wishes to thank all of our Associate Members for your support and partnership. We look forward to continuing to highlight our Associate Members in each Quarterly Report.

Mark Your Calendars For These Upcoming CALAFCO Events

- CALAFCO Legislative Committee meeting, December 11, 2015, Sacramento
- CALAFCO Legislative Committee meeting, January 22, 2016, San Diego
- CALAFCO Board of Directors meeting, February 5, 2016, Irvine

Look for a 2016 calendar of events coming in December.



**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
PENDING PROPOSALS – DECEMBER 9, 2015**

December 9, 2015
Agenda Item 11b

LAFCO APPLICATION	RECEIVED	STATUS
Discovery Bay Community Services District (DBCSD) SOI Amendment (Newport Pointe): proposed SOI expansion of 20± acres bounded by Bixler Road, Newport Drive and Newport Cove (with corresponding annexation application)	7/28/10	Incomplete; awaiting info from applicant
DBCSD Annexation (Newport Pointe): proposed annexation of 20± acres to supply water/sewer services to a 67-unit single family residential development	7/28/10	Incomplete; awaiting info from applicant
Bayo Vista Housing Authority Annexation to RSD: proposed annexation of 33± acres located south of San Pablo Avenue at the northeastern edge of the District's boundary	2/20/13	Continued from 11/12/14 meeting
Northeast Antioch Reorganization Area 2A: proposed annexations to City of Antioch and DDSD; and corresponding detachments from CSAs L-100 and P-6	7/30/13	Continued from 6/10/15 meeting to 6/8/16
Reorganization 186 – proposed annexations to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD): proposed annexation of Magee Ranch/SummerHill (402± acres; 9 parcels total) to CCCSD (8 parcels) and EBMUD (7 parcels)	6/20/14	Removed from the Commission's calendar pending further notice



Board of Supervisors agree to aid East Contra Costa Fire Protection District

[Staff Writer](#)

Nov 18, 2015

The Contra Costa County Board of Supervisors has approved one-time funds for the [East Contra Costa Fire Protection District](#) (ECCFPD) to open a fourth station in an agreement that includes a series of stipulations.

The supervisors will pledge close to \$312,000 to the beleaguered district, provided that its appointed board switch to an elected body; the district changes its name; Station 94 in Knightsen is the station reopened; and an oversight board be created to supervise revenue generated through any future ballot measures. The item was approved with a 4-1 vote, with District II Supervisor Candace Andersen dissenting.

The ECCFPD, comprised of eight stations in 2008, is down to three stations that serve 105,000 residents spanning 249 square miles.

“I believe these requests are common sense,” said District III Supervisor and Discovery Bay resident Mary Piepho. “I feel they help build trust in the communities that they will be used to increase funding for this district to move it into the 21st century.”

The county’s funds are expected to be combined with contributions from the fire district and cities of Oakley and Brentwood to reopen the Knightsen station, while a multi-jurisdictional task force works on a long-term fix for the financially strapped agency. The agreement is expected to be finalized by the ECCFPD Board at its Dec. 7 meeting.

Under the agreement, the ECCFPD would pay \$874,000; Brentwood \$660,000; Oakley \$382,000; and the county close to \$312,000, which should be enough to keep the station open between January 2016 and June 2017. The contributions were decided based on call-volume numbers in the respective areas.

ECCFPD Fire Chief Hugh Henderson said it could take the district until March or April to hire firefighters to reopen a fourth station, but the delay could free-up extra funds to explore a revenue-generating measure for the district in 2016.

“(The county funds) is something to get them to the ballot,” said Contra Costa Fire Protection District Chief Jeff Carman, whose agency must assist ECCFPD units in every structure-fire

response. “That is something I think that needs to be understood by the citizens. The ballot measure is the ongoing funding that the district needs to sustain itself.”

Anderson, the lone supervisor to oppose the county’s funding pledge, said she feared the move could create a precedent.

“I’m concerned with us providing one-time money,” she said. “Voters will continue to think there will be someone there who can continue to bail them out, because there always has been in the past.”

While the county’s money is expected to help the ECCFPD, it won’t come without changes by the district.

Piepho said that the ECCFPD Board needs to be an elected body, to allow residents to choose the people to make crucial decisions as opposed to allowing the county and cities of Brentwood and Oakley to appoint the representatives. She also said that the ECCFPD needs to change its name to separate it from the similar Contra Costa Fire Protection District and to prevent the public from believing that the board of supervisors is responsible for the future and status of the district. The demand that the fourth station be reopened in the supervisors’ jurisdiction of Knightsen appears to align with the recommendation of ECCFPD officials. That station was the last one closed when the district dropped from four to three stations in May.

“This is the only time that we have leverage ... to get these things moving forward,” Piepho said. “They should have been moved forward eight years ago (when the county relinquished oversight of the ECCFPD).”

Henderson said that reopening a fourth station would help the district for now, until a sorely needed long-term funding fix is found.

“This is a Band-Aid solution when what we really need is a tourniquet,” he said.

Barnidge: Contra Costa County's new approach to emergency medical response brings hope, uncertainty

[By Tom Barnidge Contra Costa Times Columnist](#)

Posted: **11/20/2015** 10:15:55 AM PST Updated: 4 days ago

Contra Costa Fire District Chief Jeff Carman has heard the question throughout his career, whenever a fire engine and an ambulance would show up at the same medical emergency: Why did you send both vehicles?

"My response was always the same," he said. "I just sent one. (The ambulance company) sent the other."

Because old habits die hard, that policy has gone unchallenged for years. But procedures will change for Carman's district beginning Jan. 1, 2016.

Thanks to a public-private partnership that brings ambulance provider American Medical Response and Confire's first responders under one umbrella, emergency response is expected to become not only quicker but more efficient.

"We've run these parallel businesses for so long that finally being able to integrate them, I think, will be a model for others," Carman said. "We're getting calls from all over the nation asking about this."

Under the new arrangement, all calls for service will go through the fire district's dispatch center; the severity of the emergency and proximity of first responders will dictate which is dispatched. Only high-level needs, for which two paramedics are needed, are likely to see both an ambulance and engine arrive on scene.

This partnership, believed to be the first of its kind in the state, was hammered out over long hours of brainstorming. Carman said he began with a blank slate, intent only on finding a better way to do things. Several business models were proposed.

"When we originally looked at it," he said, "we thought we'd do it all ourselves. Over time, that evolved into a public-private hybrid."

The new approach promises to free up more firefighters for fighting fires, but it comes with some financial risks. When AMR owned the ambulance contract, it was responsible for collecting transport fees. (There were 63,488 ambulance transports in 2014.) Now, subcontractor AMR will be paid a flat fee, and Confire, which will oversee the operation, will do the billing, collecting and bookkeeping.

Recent history suggests the new EMS operation should take in about \$2 million more than it spends, but if the number of transports declines or the payback rate disappoints, that could change. Private insurers typically pay higher fees than Medicare and Medi-Cal, whose subscribers account for a large percentage of those requiring service.

"The biggest risk," Carman said, "is the Affordable Care Act. Nobody knows what medical care is going to look like in the future. I'm talking about reimbursement rates."

Still, the independent consultant (Citygate Associates) that reviewed the plan largely gave its blessing. It said the assumptions were conservative and the projections realistic.

County Supervisor John Gioia, who joined colleagues in voting unanimous approval of the plan, said there were important advantages beyond the potential financial upside. Quicker response times could mean saved lives, and he said he spoke from experience.

"As someone who's experienced the impact of delayed response times, I know how important that is," he said, explaining that his father, who died at 58 after suffering cardiac arrest and lapsing into a coma, likely would have lived had he been revived earlier.

After nearly two years of planning, a new chapter in public safety is at hand.

"For me, this is a milestone," Carman said. "Now we have to make it work."

Contact Tom Barnidge at tbarnidge@bayareanewsgroup.com.



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County moves to redirect water funds

[Corey Hunt](#)

Nov 25, 2015

In a unanimous vote, the Contra Costa County Board of Supervisors has opted to begin a detachment process that could separate the Byron Bethany Irrigation District (BBID) from portions of Discovery Bay – a decision that the water provider says is irresponsible.

As it stands today, BBID’s jurisdiction overlaps with six tax zones in the small community of 14,000 residents. This means the district has been quietly taking in nearly \$700,000 from many of them yearly, even though the district is not actually providing any service.

The situation stems from a decades-old mapping layout, where BBID provided irrigation to farmlands that have long since been replaced by neighborhood developments. These homes receive water from Discovery Bay’s domestic groundwater wells, but still pay property taxes to BBID, supposedly because the zones may require district supplies in the not-so-distant future.

District III Supervisor Mary Piepho, who drafted the motion for detachment, charged that this is unacceptable and tax revenue should go to more appropriate agencies, such as the strained East Contra Costa Fire Protection District (ECCFPD), that provide relevant services to residents. According to Piepho, the district was advised as far back as 1993, and as recently as last year, by the Contra Costa Local Agency Formation Commission (LAFCO) – the entity that sets the boundaries for local governing parties – to withdraw from Discovery Bay.

“It is part of my responsibility to see that the taxpayers in my district and Contra Costa County are adequately represented and tax dollars are put to their highest and best use,” Piepho said in a letter sent to BBID’s board of directors after the decision was announced. “BBID’s collection of hundreds of thousands of dollars from areas of Discovery Bay without (the district’s) ability to provide any service to these residents is a problem that must be corrected.”

The board’s decision paves the way for an application to be formally submitted in the next few weeks to their counterpart LAFCO in San Joaquin County, since this is the principle county that is serviced by BBID. From there, San Joaquin administrators may refer the matter back to the Contra Costa LAFCO, the area where the dispute is taking place – although it is unclear if they will be willing to do so.

While the decision will ultimately be made at the county level, residents of Discovery Bay have mixed feelings on whether or not things need to change.

Described by some as an insurance policy, the main argument for the status quo is that BBID could provide an alternate or blended source of water for the town in the event that its groundwater wells run low or face destabilization. The persistent drought conditions plaguing California have highlighted these worries in recent years.

However, BBID officials themselves admit that this would only be feasible if the town constructed a water treatment plant similar to one used by its customers in Mountain House. The district pulls raw intake from the Sacramento-San Joaquin Delta that, in its original form, is unsuitable for household use. Such an upgrade would cost as much as \$500 million, they say, in a time when Discovery Bay's leadership insists groundwater supplies will likely remain stable for a decent amount of time.

"I can tell you all day long that we would or would not need that water supply in the future, but the truth is I don't really know, because I'm not an engineer," said Rick Howard, the general manager of Discovery Bay. "Until the science can back it up, we can't definitively say one way or another."

Town officials are assessing the situation with an engineering firm and will have an opportunity to take a position before any decisions are made. They have also been extensively involved in meetings, both with BBID and with the county. At the moment, however, Howard is unable to predict which side they will end up on.

Meanwhile, BBID officials are surprised by the decision and ask the county to slow things down.

"We are absolutely puzzled by the board's premature action on this issue," said BBID Board President Russell Kagehiro. "All interested parties are in the very early stages of the analysis of rates, services and impacts, and the relationship between the town of Discovery Bay and BBID. Without further review of the future water supply needs of (this community), particularly in light of a historic drought, this authorization is irresponsible."

Further perplexing the district is the fact that earlier this month, its own board members had put forward a plan to transfer \$200,000 of tax revenue per year for five years to help alleviate the shortfalls facing ECCFPD. The district, despite its revenue tallies that look good on paper, is also coping with a \$1.5 million fine for violating a water usage curtailment notice, along with other litigation. These points are expected to be made when BBID, like Discovery Bay, is given a chance to confront the resolution later in the proceedings.

A decision on BBID's future in Discovery Bay is expected sometime next year.

Daniel Borenstein: Rodeo-Hercules Fire District must not skirt election rules or short firefighters' pension fund.

By [Daniel Borenstein](mailto:dborenstein@bayareanewsgroup.com), staff columnist dborenstein@bayareanewsgroup.com

Posted: 11/20/2015 06:57:22 AM PST Updated: 4 days ago



The financially strapped Rodeo-Hercules Fire District faces huge challenges. (Staff archives)

Desperate times call for desperate measures, but there are limits to how far public officials should go.

The financially strapped Rodeo-Hercules Fire District faces huge challenges. But that doesn't excuse legally questionable property assessments or shorting funding for firefighters' pensions.

The district's current struggles stem largely from its unusually small portion of property tax dollars and large payments on its pension debt. It's going to get worse: The current \$7 million of annual revenues will decline by roughly \$2 million by mid-2017. Unless new money appears, the district will have to again close one of its two fire stations.

The situation is "very, very bleak," says board member Ernie Wheeler. "We've got 18 months to come up with the money and I don't know where it's coming from."

The only things keeping the station open now are short-term grants and dubious property assessment receipts.

District leaders realized they were on shaky ground in 2014 when they proposed the assessment plan. "From the get-go we knew there were questions about it," said Beth Bartke, fire board chairwoman. "We knew that it was iffy."

The district could have sought a traditional property tax increase, but that would have required approval by two-thirds of voters. Instead, they sought an assessment, which requires majority approval of property owners.

It's a process established under Proposition 218, a 1996 statewide initiative. In assessment district elections, each vote is weighted by the size of the charge on that parcel. The Rodeo-Hercules assessment plan received 57 percent approval.

But Prop. 218 was intended to cover the cost of "special benefits" for property owners. It cannot include "general benefits" enjoyed by all. Thus, the assessment might take into account individual factors affecting a property's vulnerability to fire, such as structure size and type of construction. Instead, in Rodeo and Hercules, all single-family residences on less than an acre are charged the same \$82 fee.

Hercules resident Thomas Pearson sued to block the assessment, alleging it doesn't comply with Prop. 218 because the fee is really for general benefits. On Nov. 2, as the judge was preparing a ruling, Pearson and the district settled the litigation. They agreed the assessment, originally to be permanent, will end in 2017, after the third year.

The district paid Pearson's attorney \$175,000 in legal fees. And, because they settled before the judge ruled, there will be no court determination of whether the nearly \$1 million in annual assessments the district collects are legal.

Meanwhile, the fire district sought reduction of its annual pension payments to the Contra Costa retirement system. The district, like most California public agencies, has not properly funded its pensions and now has a \$15 million shortfall.

It's a liability that the retirement system requires the fire district pay off over no more than 18 years. The district sought to stretch the repayment schedule to 30 years, which Chief Hanley called "a simple restructuring of debt to enable the district to continue its operations."

It would have reduced the district's \$1.4 million annual debt payments by more than \$600,000 a year. However, under the proposed pay-off schedule, the district's debt would have grown for the first 14 years with no reduction of principal until 20 years from now.

The retirement board's attorney, Harvey Leiderman, strenuously advised trustees against the restructuring, noting that the fire district has no long-term financial plan.

"Without a demonstrable ability to resume paying its full pension obligations in the not-too-distant future," he wrote, —... the (fire) district is simply asking for debt relief, which the board has no legal basis to grant."

The pension board was considering the fire district's request at its Oct. 22 meeting when, under questioning, Hanley revealed that the district hadn't been making its payments since July.

Surprised and perturbed trustees conferred privately with their attorney, took no action on the fire district request and instead launched legal action to recover \$403,000 of back payments. Last week, the fire district paid up while the chief complained about the pension board's action.

It's time for fire district leaders to get real. They have serious financial challenges that they can't expect to solve by stiffing their creditors or skirting election rules.

Daniel Borenstein is a staff columnist and editorial writer. Reach him at 925-943-8248 or dborenstein@bayareanewsgroup.com. Follow him at [Twitter.com/BorensteinDan](https://twitter.com/BorensteinDan).

Discovery Bay tax dollars flowing to out-of-town water district

By [Matthew Artz martz@bayareanewsgroup.com](mailto:martz@bayareanewsgroup.com)

Posted: **11/25/2015** 07:02:01 AM PST Updated: about 3 hours ago

DISCOVERY BAY -- East County residents have been told for years they don't pay enough taxes to support their understaffed fire district. But in Discovery Bay, many residents are only now learning that millions of their tax dollars over the past two decades have been going to a water district that doesn't provide them with any water.

The Byron Bethany Irrigation District, formed long before Discovery Bay was ever developed, has been collecting property tax dollars -- last year totaling \$685,000 -- from sections of town even though it only provides untreated agricultural water to 160 farms in Contra Costa, Alameda and San Joaquin counties and the town of Mountain House.

Discovery Bay's water is provided by the town's Community Service District, which also gets a share of property tax dollars.

An initial push to redraw Byron Bethany's boundaries out of Discovery Bay in 1993 never was carried out. Now Contra Costa County is trying to finally make it happen.

"Government agencies should not receive tax revenue from taxpayers when the agency is not providing a service," said Supervisor Mary Piepho, who lives in Discovery Bay.

Discovery Bay resident Bob Mankin said \$604 from his property tax bill went to Byron Bethany last year -- more than triple the amount earmarked for the East Contra Costa Fire District.

"It's completely ridiculous, particularly when agencies like the fire district are sort of sucking wind," he said.

If the county is finally able to "detach" the irrigation district from Discovery Bay it could boost fire district funding, while dealing a blow to Byron-Bethany, which counts on the town for 16 percent of its property tax revenue.

"Rates will have to be increased," Byron Bethany Executive Director Rick Gilmore said.

It's fairly common to find public utilities with overlapping jurisdictions, but "the unique thing about this situation is that the irrigation district does not provide water service to those overlap areas," said Lou Ann Texeira of the Contra Costa Local Agency Formation Commission. The agency, known as LAFCO, uncovered the overlap in 1993 and noted it again in a report last year.

Byron Bethany's boundaries had long included sections of Discovery Bay, mostly on the town's west side. Gilmore said the irrigation district kept collecting taxes after the 1993 LAFCO report because it was a potential future supply of water for the town.

But county officials say Byron Bethany would be an illogical choice as a water supplier since it would have to build a multimillion dollar treatment plant to make its untreated water drinkable.

Last week, the board of supervisors petitioned San Joaquin County LAFCO, which has jurisdiction over Byron Bethany, to finally redraw the irrigation district's boundaries to exclude Discovery Bay. A ruling is expected within six months.

If approved, taxpayers wouldn't pay any less, but Byron Bethany would no longer be one of the many local agencies getting a share of property taxes. That means there would be more money for the school district, the fire district and other taxing entities.

County officials are hoping that other taxing agencies would agree to let the funds flow to the fire district, which gets a relatively small share of tax revenue and has gone from eight to three stations covering 249 square miles. The fire district needs an estimated \$4.5 million to fully restore services.

The impact on Byron Bethany remains unclear. The irrigation district posted \$4.79 million in net income last year, but Gilmore noted that the potential loss of the Discovery Bay revenue comes on the heels of a \$1.5 million fine from state water regulators for illegally diverting water, as well as ongoing litigation.

"Everything is interconnected," said Gilmore, who wouldn't rule out fighting to keep Discovery Bay. "We're willing to sit down ... and reach an appropriate resolution."

Contact Matthew Artz at 510-208-6435.

LAFCO essential for good planning

Westside Connect.com (Stanislaus County)

Posted: Tuesday, November 24, 2015 8:53 am

BY JIM DEMARTINI/COUNTY SUPERVISOR

Most people know that planning commissions are responsible for reviewing and acting on matters related to land-use planning and development, but how many of us know what LAFCO is? Local Agency Formation Commissions, or LAFCOs, were created by the legislature in 1963 in response to California's booming population growth, sprawl of cities and the proliferation of limited purpose special districts. LAFCOs are unique to California and exist in all 58 counties.

California law gives LAFCOs three main purposes: discouraging urban sprawl, encouraging orderly government boundaries and preserving open space and prime agricultural land. LAFCOs do this by reviewing applications for city annexations, extension of services and municipal service reviews of special districts. Stanislaus LAFCO oversees boundaries for the nine cities and 74 special districts in the county, ranging from irrigation districts to mosquito abatement districts and everything in between. LAFCO also adopts future boundaries for each of these agencies, as well as for the cities. These boundaries are known as "spheres of influence," LAFCOs conduct studies about the services these cities and districts provide. LAFCOs also have the authority to eliminate a special district if it no longer serves a useful function. Although this is rarely done, it did happen to a Bay Area hospital district in 2012.

When applying for a new annexation, cities must demonstrate to LAFCO that they will have the ability to provide the same level of municipal services that currently exist within city boundaries. Cities must be capable of providing the same services to newly-annexed territory such as adequate police and fire protection, water, sewer service (which might require increased capacity), parks and schools. Stanislaus LAFCO also requires cities to have a strategy for agricultural preservation, such as mitigation for loss of prime farmland or urban limit lines. Annexations are not approved until all conditions are met. This insures orderly boundaries and efficient delivery of public services.

The existence of LAFCOs keeps decisions about growth and provision of services at the local level. The LAFCO process is thorough and allows an opportunity for the public to be involved and provide input on growth in their area. Stanislaus LAFCO has five commissioners; two members of the Board of Supervisors appointed by the Chairman of the Board, two city council members appointed by the mayors of the nine cities and one public member appointed by the city and county members. There are alternates for each seat on the commission to insure there is always a quorum. The commission is intended to represent the interest of the county as a whole and not solely the interest of a voting member's jurisdiction. In fact it is improper for appointing bodies, whether it be the county or the cities, to require a LAFCO commissioner to vote a certain way. All commissioners take off their county, city or special district hats and sit as members of a truly independent body. LAFCO responsibilities can involve competing interests, for instance

promoting orderly development and efficient services while also preserving agricultural land. Commissioners are often tasked with difficult decisions which impact our valuable and limited resources such as water and agricultural land. Ultimately, LAFCOs act as the checks and balances for boundaries and services in the county. Three years ago Stanislaus LAFCO received the state LAFCO's highest award, Most Effective Commission, and Project of the Year for our Agricultural Preservation Policy. This year, in competition with all of California's 58 LAFCOs, former commissioner Matt Beekman received the award for Commissioner of the Year.

LAFCOs exercise independent judgment involving a broad perspective representing the public as a whole. City annexation wars, leap-frog development and urban sprawl have essentially been eliminated in California by LAFCO commissions. LAFCOs are all about good governance and a better quality of life for all Californians.

Jim DeMartini is the District 5 Stanislaus County Supervisor. His district includes the West Side.

Tracy Press

BBID may lose Discovery Bay tax base

Posted: Thursday, November 26, 2015 10:30 am

Press staff report

Representatives of the Byron Bethany Irrigation District have declared that they look forward to meeting with Contra Costa County and Discovery Bay officials about the possibility that some of Discovery Bay will be removed from the irrigation district.

The BBID board, which met Monday, agreed to open the discussions after Contra Costa County supervisors voted Nov. 17 to ask the Local Agency Formation Commission in San Joaquin County to consider detaching a portion of the town of Discovery Bay from BBID.

Discovery Bay is an unincorporated community in eastern Contra Costa County, but San Joaquin County LAFCO is involved because the majority of land in BBID is in San Joaquin County.

BBID's service area overlaps with the Discovery Bay Community Services District.

Irrigation district directors agreed that the possible loss of the Discovery Bay tax base from the district "represents a hasty, premature step with unknown implications."

In a news release, the BBID board said, "Currently, the property tax revenue paid by the affected residents in the Town of Discovery Bay helps ensure the future water supply of the growing residential community."

Russell Kagehiro of Tracy, president of the BBID board, declared that having BBID, Contra Costa County and Discovery Bay all included in the discussion "was essential to ensure an open dialogue" with all stakeholders was maintained.

"There are many potential consequences with detachment," he said. "This is not a decision that can be made too hastily, and the conversation needs to include everyone."

Barnidge: Understaffed East Contra Costa Fire District can no longer be ignored

[By Tom Barnidge Contra Costa Times Columnist](#)

Posted: **11/27/2015** 10:45:55 AM PST Updated: 2 days ago

Because most people don't think about emergency response until an emergency interrupts their lives, residents of the East Contra Costa Fire District may not be aware of the precarious condition in which they live.

The district, hobbled by inadequate funding, has only three engine companies -- nine firefighters -- on call to answer the needs of 110,000 residents spread across 249 square miles. This "unacceptable staffing level" -- Chief Hugh Henderson's words -- puts at risk the communities of Brentwood, Oakley, Knightsen, Bethel Island and Discovery Bay, and not just because response times have worsened.



A sign notifies people that the East Contra Costa Fire Station 54 has been closed for service in Brentwood on Sept. 28, 2015. (Jose Carlos Fajardo/Bay Area News Group)

The harsh reality is that a structure fire requires a minimum of five trucks, or two more than the district has on call. That means mutual aid is needed from elsewhere, usually Contra Costa Fire's Antioch stations, and if a second emergency unfolds, well, good luck with that.

Henderson offered some context when he appeared before county supervisors recently.

He said a fire in Discovery Bay on Oct. 28 kept all his resources occupied for more than seven hours, during which they couldn't respond to any of three major medical emergencies the same day -- a man with a diabetic seizure in Oakley, a woman found unconscious in Discovery Bay and an elderly Oakley woman suffering chest pains and breathing problems. Ambulances were sent, but in one case the nearest was 15 minutes away.

There were similar stories involving a fire in Brentwood on July 24 and a multicar collision on Marsh Creek Road on Sept. 3. In the latter instance, five victims from three cars needed aid that included extrication with the Jaws of Life. By Henderson's count, there have been at least 16

instances in recent months when all resources were occupied and unavailable elsewhere. God forbid if there were a fire call then.

That's why a special task force was formed and why, after several meetings, it agreed to temporarily fund a fourth station and lobby public support for a sustainable solution. One-time funds -- \$666,000 from Brentwood, \$382,202 from Oakley and \$311,617 from the county -- will enable the district to reopen its shuttered Knightsen station for 18 months. Long-term funding is a trickier proposition because it's expected to mean a ballot initiative next year.

Voters twice have turned down such measures -- a parcel tax in 2012 and a benefit assessment in 2014 -- but proponents think a little education will go a long way in winning support. Residents need to understand, they say, that the district's fiscal problems aren't caused by overspending; its salaries are lower than most. Funding problems trace to East County's roots as farmland and its archaic tax classification as a rural district. Because of that designation, assigned in 1978, it gets only 7 cents of every property tax dollar. Confire, by contrast, gets twice as much.

Before Brentwood, Oakley and neighboring towns became sprawling bedroom communities, a small firefighting force with limited funding was adequate. Now, it's not. As recently as 2008, before property values (and taxes) plummeted, eight stations were in operation; Henderson said 10 are really needed.

"We need to handle this together as a community," said Supervisor Mary Piepho, who lives in Discovery Bay. "That's why there's hope this effort will be different from the last."

If it isn't, East County had better hope that its emergencies are carefully spaced.

Contact Tom Barnidge at tbarnidge@bayareanewsgroup.com.

Richmond: City, school district racing the clock to set up Internet

By Karina Ioffe kioffee@bayareanewsgroup.com

Posted: 11/28/2015 02:38:44 PM PST

Updated: 11/29/2015 07:51:07 AM PST



Flower Alonso, 7, of Richmond, smiles as she sees all the computer equipment at Building Blocks for Kids Collaborative in Richmond on Nov. 21, 2015. (Dan Honda/Bay Area News Group)

RICHMOND -- The West Contra Costa school district has an ambitious plan to distribute a tablet computer to each of its 30,000 students starting next year. It's a bold vision, considering that thousands of students have migrated to charter schools over the past decade, resulting in less money for the district.

But there's a small hiccup: Close to 20 percent of households in Richmond, the biggest city in the district, don't have an Internet connection at home, according to the 2014 Census.

In central Richmond, the number is closer to 40 percent, meaning 7,000 households in the city can't easily go online to pay their bills, search for jobs or access the dozens of apps, programs and games meant to supplement what children are learning at school.

The school district, in conjunction with the city and a group of nonprofits, says it's working to close the gaps in coverage, starting with the Iron Triangle neighborhood, home to predominately Latino and African-American families. The district is in the midst of launching a fiber project that will allow the city to install antennas on top of some of its schools, providing a strong signal to not only classrooms but approximately 300 homes in the surrounding area.

"We want to level the playing field and plan to provide free wireless to the neighborhood within three years," said Mary Phillips, the district's chief technology officer.

Meanwhile, Richmond is working to expand its own fiber optic network -- which uses lighter cables that are able to process data at faster rates -- but the city doesn't have enough money.

Instead, it's relying on private and state grants to finance the job, pulling together the funding piece by piece.

"You really need to build the broadband backbone and then connect the dots: the schools and the individual community locations that don't have Internet right now," said Sue Hartman, IT director for the city.

The effort will get a \$1 million boost from Chevron, paid out over the next three years, part of a community benefits agreement secured in exchange for greenlighting a refinery-modernization project, scheduled to start next year.

Meanwhile, a patchwork of nonprofit organizations has formed in recent years to address the challenge, but collaboration has sometimes been tricky. Most are used to working independently and don't always share information, said Jennifer Lyle, executive director of Building Blocks for Kids Collaborative, a coalition of organizations working to connect residents of the Iron Triangle neighborhood to critical services.

When it comes to the Internet, the group has started giving out "hotspots" -- pocket-size devices that create an instant Internet connection -- at \$10.99 a month. So far, it has given out 60 such devices, according to Lyle.

"It's a small piece, but it's better than nothing," she said.

Another player is the Internet Archive, a San Francisco organization that operates a free online repository of books, research papers, audio, video and software. It has set up two towers in Richmond that provide a Wi-Fi signal but requires residents to install their own repeaters on the roof, meaning that technical know-how is essential. About 225 people a day in Richmond go online with the help of Internet Archive, a drop in the sea of digital access.



Residents, including Maurissa O'Keith, left, of Richmond, take a short computer class given by Ellen Kersten, of the City of Richmond Library and Cultural Services, at Building Blocks for Kids Collaborative in Richmond on Nov. 21, 2015. (Dan Honda/Bay Area News Group)

The city has also tried to educate low-income residents who aren't yet online to Comcast's Internet Essentials program, which provides affordable Internet service to families with at least one child who qualifies for the National School Lunch Program.

People working to bridge the digital divide in Richmond have found Internet Essentials frustrating. Among their complaints: Spanish-speaking service representatives who don't tell callers about the program, families who are made ineligible because of disputes over bills, and representatives who try to upsell other services even when customers call inquiring about the specific service.

"Comcast has been unethical in the way they work with low-income families," Lyle said. "It's been a challenge."

Comcast was required by the federal government to create a program for low-income customers as part of its 2011 acquisition of NBC Universal.

Comcast spokesman Bryan Byrd said the company has made numerous changes to the program in recent years, including creating a dedicated call center for both English and Spanish speakers, adding an online application process that can be used on any Internet-enabled device, including a phone, and providing amnesty to families who have a past-due balance older than one year.

"A lot of those concerns have been addressed," Byrd said. "We have a 23 percent penetration rate in California and are one of the few companies that even have such a program."

Phillips, the school district's IT director, says she remains optimistic that all students will soon be able to go online to do their homework. But just in case, some programs will be downloadable onto a computer's hard drive and accessed without a connection, she said.

Lyle is also optimistic that at least children living in the Iron Triangle neighborhood will be able to connect by the start of next school year.

"It makes me so angry that there are so many barriers to getting online, but many other communities have struggled with this," she said. "The fact that the city is even trying to do this is commendable."

Contact Karina Ioffee at 510-262-2726 or kioffee@bayareanewsgroup.com. Follow her at [Twitter.com/kioffee](https://twitter.com/kioffee)

TO LEARN MORE: To find out more about Comcast's Internet Essentials and register for the program, call 1-855-846-8376, or 1-855-765-6995 for service in Spanish. Information is also available at Internetessentials.com

Brentwood's good summer water conservation came at a price

By Nate Gartrell ngartrell@bayareanewsgroup.com

Posted: 11/30/2015 12:00:00 AM PST

BRENTWOOD -- The city's response to the drought has been engaging, innovative and effective. As it stands now, officials say residents here have slashed their water use by nearly half of what it was in 2013.

But there is one catch: It turns out that some of the most effective conservation programs have also been costly.

Brentwood's water operations budget lost \$500,000 from April through October alone, because the city handed out more than 45,700 water use rebates while issuing around 6,700 penalties during that seven-month span. This loss occurred even though the highest penalty (\$300) was six times higher than the highest rebate (\$50).

Under the city's system, which had a target of 35 percent water conservation, \$100 fines were given to anyone who conserved 34-21 percent of their 2013 usage. Fines of \$200 were imposed upon residents who conserved by 20 percent or less, and anyone who increased water use was given a \$300 fine. Rebates of \$10, \$25 and \$50 were given to anyone who conserved water by at least 36 percent, at least 41 percent, and at least 50 percent respectively.

Everyone who was exactly at 35 percent conservation got neither a rebate or a penalty, according to city records.

The water budget loss is compounded by the underlying cost of conservation: Because residents pay for water by the unit, the more they conserve, the less revenue they generate. And because drinking water production costs are fixed, and state law limits how water agencies can get revenue, many residents throughout the state are being rewarded for their conservation with an increase in water rates.

Last fiscal year, Brentwood officials say water conservation cost the city \$1.8 million, and it was estimated in a city staff report from April that the shortfall of revenue would cost the city \$3-4 million this fiscal year.

"The issue is that if you conserve, which is the goal, there is less revenue to the fund, and so now you've got to deal with that," said Brentwood City Manager Gus Vina, describing the Catch-22 that water agencies throughout California have found themselves in. "If you don't conserve, then you have a supply-side issue and then you'd get some pretty hefty fines -- \$10,000 a day -- coming from state water boards."

Vina added that city officials are conducting a study of the city's water rates, and might recommend that they be increased, though he added he wouldn't be able to definitively say whether an increase is coming until that study is completed.

But in the short-term, at least, city officials can claim a victory; the city's rebate/penalty records paint a picture of a populace that has taken the drought seriously. Out of the 45,737 rebates that were issued from April 1 through Oct. 31, a majority -- nearly 30,000 -- went to people who were able to cut their water use by more than 50 percent. By contrast, only 2,050 penalties were issued to residents who increased their water usage.

And during the eight weeks before the city eased its emergency drought restrictions, nearly 10 times as many residents were issued rebates than were issued penalties. The city lost nearly three times as much money from handing out rebates during those eight weeks than it lost in five months from April 1 through Sept. 4, when roughly 26,000 rebates were issued, and 4,700 penalties.

"When we went into this, it was more like, 'How do we incentivize conservation and change people's behavior if they don't conserve,'" Vina said. "The impact between penalties and rebates was an unknown, so we launched the plan hoping to get people to conserve. And we made our goal, which is good news."

Contact Nate Gartrell at 925-779-7174 or follow him at [Twitter.com/NateGartrell](https://twitter.com/NateGartrell).



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SoCal moves in on Delta islands

[Corey Hunt](#)

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Board members at a southern California water provider have given the green light for the agency to examine the purchase of at least four islands on the Sacramento-San Joaquin Delta, two of which are centered in an area marked for a highly controversial plan to construct two massive tunnels and divert water supplies toward Los Angeles and Central Valley farmers.

[The Metropolitan Water District of Southern California](#) (MWD), the largest provider of treated water in the U.S., says it is interested in purchasing the land, at a cost that could reach hundreds of millions of dollars, for a variety of reasons. These include the opportunity to promote habitat restoration and to a lesser extent, reservoir storage that could be utilized during dry years – as the islands sit below sea level and the present owners have been aiming to do this for a while.

However, it is no secret that MWD is also a staunch supporter of the roughly \$16 billion tunnel project, known as California WaterFix. This is setting off alarm bells for many northern California and Bay Area residents, who have been fighting a lengthy battle against the proposal and any efforts to send additional water south.

The district itself acknowledges control of the islands would brush aside eminent domain regulations that could hold up construction of the 35-mile long, 40-foot-wide tunnels deep under the Delta floor. With the purchase, it would obtain water rights over the area, which is currently owned and managed by Switzerland-based Delta Wetlands Properties. Together, the islands – Bacon Island, Webb Tract, Holland Tract, and Bouldin Island, along with a potential portion of Chipp Island – total about 20,000 acres and primarily serve agricultural needs.

“We’re just getting into this process,” said Armando Acuna, a spokesman for the district. “This decision is not just based on one purpose ... there are multiple reasons for the possibility of buying these islands. There is a lot of talk about the tunnels, but while the islands would certainly be helpful should they be constructed, the land will still be useful if the project fails to go forward.”

Acuna explained that one of the aspects MWD is most interested in is habitat restoration, which he said could serve the interests of all parties involved – the district, the Delta, and residents in both areas. The theory is that with a healthier Delta come fewer environmental restrictions, such as those put in place to protect the tiny Delta smelt fish and other wildlife, and subsequently, more water that can be pumped safely. Essentially, the district would get more water flowing

without interruption, and the community would get a healthier Delta that ecologists have long been warning is unsustainable in its current situation.

Ideally, MWD will not be foraying into the purchases alone. The district's general manager, Jeff Kightlinger, said at a press conference shortly after the decision was announced that the board is in talks to work with three other water agencies in Kern County, which stands to gain from the WaterFix project. Those potential partners still have not approved the okay to initiate purchase proceedings though. Overall, the agencies estimate the land value to be around \$200 million based on current prices in the region.

As might be expected given the prevailing tensions, local activists involved with Delta affairs are not convinced that MWD has habitat restoration as its main goal. They say they see the move as a steady encroachment, laying the groundwork for the WaterFix.

“Giving the southern water districts more ownership of land in the Delta is not a good idea,” said Jan McCleery, the president of the [Save the California Delta Alliance](#) (STCDA). “If the water agencies in the south inherit the water rights from those islands, they will feel entitled to even more Delta water than now. Anything that aids getting the tunnels approved is bad. (It's obvious that) they do not have the best interests of the Delta or the Delta communities in mind.”

McCleery added that while a less controversial part of MWD's plan – the reservoir storage component – could have some positive effects in dry years, it would create the need for more dams and wreck havoc on Delta industries that rely on boating and shipping.

Acuna, however, said that MWD is putting limited focus on the reservoirs, and that recent media attention has given this excessive emphasis – as the land may not be as ideal for storage as suggested.

“This is a little bit, in some quarters, exaggerated ... it's certainly not the primary purpose,” he said.

Whether or not MWD will move ahead and purchase the islands will be decided sometime next year. The current decision allows a 12-month period to negotiate a deal.



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Supervisor Says No to Struggling Fire District

By *Nick Marnell*

Supervisor Candace Andersen again refused to allocate money from the county general fund to support a special district when she voted against a \$311,000 bailout of the troubled East Contra Costa Fire Protection District Nov. 17. "When I first came on the board three years ago, we refused to give our own Contra Costa fire district the money they needed so that we would not have to close fire stations," said Andersen, whose district includes Lamorinda. "I cannot justify this one-time expense."

One of those county fire stations she referred to, Contra Costa County Fire Protection District station 16 in Lafayette, remains closed.

"I don't know that I would have supported drawing from the general fund if Lafayette had offered up additional money to keep Station 16 open or reopened," Andersen said later. The county, the fire district and the cities of Brentwood and Oakley will contribute more than \$2 million to the cost of reopening the ECCFPD Knightsen station for 18 months, a stopgap measure until the district finds a way to increase funding for its fire service.

"From my perspective, Lafayette taxpayers were already significantly contributing toward their fire service and weren't getting sufficient value for their tax dollars," continued Andersen. "Also, at the time, I had serious concerns about how we were delivering fire service, and wasn't inclined to go to taxpayers or cities and ask for more funding until we had done all that we could to become more efficient and have a plan toward sustainability in place."

Speakers pounded the sustainability of ECCFPD as a recurrent theme. The district dropped from eight fire stations in 2008 to three today, and voters twice rejected calls for additional funding to enhance fire service.

"It is not sustainable for East County to draw on our resources at the rate they are using them today," said ConFire chief Jeff Carman. "We're a system. It puts pressure on everybody, including Lafayette."

The supervisors approved the bailout 4-1, but with a list of contingencies, including that ECCFPD pursue status as an independent district, elect its own governing body and change its name. "These things should have been done eight years ago," said Supervisor Mary Piepho.

"The biggest stumbling block for me is the precedent," said Andersen, who earlier this year rejected using general fund money to keep Doctors Medical Center, a special district, open. "We have competing needs in the county. At least one other fire district is in serious financial trouble, and I'm sure there are other districts which could use money too."

"It's a further explanation of why (the supervisors) think they have to do something in Lafayette to open station 16," said Moraga-Orinda Fire District director Fred Weil at the Nov. 18 district meeting. "If they were handing money out to East County and not reopening 16, they would have smelled the tar and seen the feathers out of Lafayette. And for good reason."

The Lafayette Emergency Services Task Force declined to comment on the county's action. "In addition to investigating detachment, we have been focused on the joint station 46, and more recently on reopening station 16. I suspect that that will be our focus until it is accomplished," said co-chair Brandt Andersson. Carman said he plans to present a proposal for the reopening of Lafayette station 16 to his board in December.

Reach the reporter at: nick@lamorindaweekly.com

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Fire Chief Wraps His Legacy around Ambulance Contract

By Nick Marnell

Contra Costa County Fire Protection District chief Jeff Carman reflected on a painful time in the district. "Fourteen months ago, there were people saying we can't even run a fire department," said the chief. "So how were we going to run an ambulance service?" With the unanimous approval by the Board of Supervisors Nov. 17 for the district to provide county emergency ambulance service, most of Contra Costa County is going to find out how beginning Jan. 1.

Carman joined the struggling fire district in 2013 with a mandate from his board to uncover new revenue sources. "The ambulance contract was the low-hanging fruit," he said. The contract with American Medical Response, the current county ambulance provider, ends in December, and with the possibility of additional government funds available to a public entity for emergency transport, the chief said pitching for the ambulance contract presented an opportunity he could not pass up.

"I started thinking I could do the whole thing myself," said Carman. "But consultants convinced me it wouldn't be worth the trouble. Buying 40 ambulances, buying 40 monitors at \$35,000 each, gurneys at \$20,000 - getting all of that assembled, training a workforce, versus buying an incumbent that knew the county and how to run everything? And do the supervisors have the stomach to tell AMR goodbye? Joining with AMR was the way to go. We benefit from their incredible buying power, plus a labor force that's knowledgeable. And they're cheaper." Citygate Associates LLC, a consulting firm, concluded that the district could net nearly \$2 million in the first year of the ambulance contract.

A potential upside to the deal is that ConFire will be able to collect government reimbursement for emergency transport payable to only public entities, though the dollar amount remains unclear and was not included in financial projections. A possible downside is the future of the Affordable Care Act. "I've gotten a peek behind the curtain at AMR," said Carman. "The depth they have in the EMS arena is incredible. I feel comfortable that nothing emanating from Capitol Hill will surprise us."

ConFire will pay AMR \$200 million to provide ambulance service over the five years of the contract. The district will dispatch the ambulances, eliminating the duplication of resources often seen on medical calls. But the chief said that the dispatch centers will not be completely merged until Feb. 1. "Moving their computer system onto ours, the costs of new hardware. Until (February), that will be the one piece missing, where we can cut down the dispatch time," said Carman.

The regions of Contra Costa County that will not be covered by the ConFire-AMR Alliance are those served by the Moraga-Orinda Fire District and the San Ramon Valley Fire Protection District, which provide their own ambulance service. The district projects that ambulance response times will decrease an average of 30 seconds under the new system.

The chief said one of the toughest challenges of the merger was getting the new billing contractor aligned. "The AMR system has to auto-feed into the Intermedix system. But it will be done by Jan. 1," said Carman.

Advanced Data Processing, Inc, a division of Intermedix, will provide billing for district emergency transport services for an \$8.5 million fee through the life of the 5-year contract.

"What makes me nervous? That so many people are watching. I get calls from Florida, Georgia, Ohio, looking at this," said Carman. Santa Clara and Alameda counties are also eyeing the ConFire business model, which is the first of its kind in California, according to county administrator David Twa. "But I'm very comfortable with the risk we're taking. Nothing really changes for the public," said the chief.

"It's a remarkable accomplishment," said Supervisor Mary Piepho.

Carman agreed that securing the ambulance contract was a career accomplishment, but he hesitated to do a bat flip just yet. "Let me get six months under my belt and then, yeah, I'll agree that this was the way to go."

Reach the reporter at: nick@lamorindaweekly.com

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MOFD Restores Salary Cut to Firefighters

By Nick Marnell

The Moraga-Orinda Fire District presented its 2014-15 Comprehensive Annual Financial Report Nov. 18, highlighting a general fund surplus of \$1.4 million. Contributing to the surplus was the 3.5 percent wage reduction agreed to by district employees. One percent of the reduction was restored July 1.

With this considerable improvement in district finances, the board agreed to restore the remaining 2.5 percent wage reduction effective Dec. 1, seven months earlier than outlined in the memorandums of understanding between MOFD and its labor groups. The motion passed 3-1, with Steve Anderson dissenting and Alex Evans absent.

"I'm pleased that we're doing this, and I'm happy that we were able to do it," said director Fred Weil.

"This was very difficult," said fire chief Stephen Healy, commenting on the original labor negotiations that resulted in wages lost by the firefighters. "It's kind of a deep wound to them. I'm sorry this had to happen in the first place."

The directors should probably not expect a thank you card from the union. Representative Mark DeWeese blasted the original pay cut as unnecessary, and he said that the elimination of the cut leaves the firefighters with the same pay they were making seven years ago. "If you look at the data in tonight's board packet you'll see MOFD's total revenue over that same time period has grown over 25 percent," he said in a prepared statement. "Our stagnant wages and lagging medical benefits have caused a growing recruitment and retention problem for our district, along with growing frustration among current employees."

"When we worked out that original contract, we needed help to keep MOFD running," Anderson said later. "We were on the edge. The financial situation was impacting our ability to serve our citizens and our employees.

"I don't believe in renegotiating contracts," continued Anderson. "There's no end to it when you do. These are unsettled times, with unsettled markets. We have to be financially conservative."

The district calculated the one-time cost to restore the salary reduction seven months early at \$187,000.

Reach the reporter at: nick@lamorindaweekly.com

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